

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

1

1 UNITED STATES DISTRICT COURT

2 FOR THE NORTHERN DISTRICT OF GEORGIA

3 United States of America,

No.
4 1:16-CV-03088-ELR

Plaintiff,

5 vs.

6 State of Georgia,

7 Defendant.

8 ~~~~~

10 VIDEOTAPED VIDEOCONFERENCE ZOOM DEPOSITION OF

11 JANEL ALLEN

12 January 9, 2023

13 8:58 a.m.

14 Conyers, Georgia

15

16

17

18

19

20

21

22

23 Marcella Daughtry, RPR, RMR

24 Georgia License No. 6595-1471-3597-5424

25 California CSR No. 14315

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

2

1 APPEARANCES OF COUNSEL

2 For the Plaintiff:

3 U.S. DEPARTMENT OF JUSTICE
4 MR. PATRICK HOLKINS
5 MS. FRANCES COHEN
6 MS. JESSICA POLANSKY
7 MS. CRYSTAL ADAMS
8 950 Pennsylvania Avenue, N.W.
Washington, D.C. 20579
202.305.6630
patrick.holkins@usdoj.gov
frances.cohen@usdoj.gov

9 For the Defendant State of Georgia:

10 ROBBINS FIRM
11 MS. MELANIE JOHNSON
12 500 14th Street, NW
Atlanta, Georgia 30318
404.856.3252
melanie.johnson@robbinsfirm.com

14 For the Witness and DeKalb Community Service Board:

15 FREEMAN, MATHIS & GARY, LLP
16 MR. ANDREW KIM
17 100 Galleria Parkway
Atlanta, Georgia 30339
akim@fmglaw.com

18 Also Present:

19 Sandra LeVert
20 Patrick Murphy, videographer
21 Dr. Robert Putnam

23 *** ALL PARTIES APPEARED REMOTELY ***

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

3

1 INDEX OF EXAMINATION

2 WITNESS: JANEL ALLEN

3
4 EXAMINATION PAGE
5 BY MR. HOLKINS 7

6
7 * * *
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

4

1 INDEX TO EXHIBITS

2 EXHIBITS		PAGE
3 Exhibit 796	Subpoena	10
4 Exhibit 797	List of names DEKALB005045 to 5047	30
5 Exhibit 798	Center of Excellence for Children's Behavioral Health Integrating Research, Policy and Practice DEKALB003588 to 3592	35
6		
7 Exhibit 799	E-mail from Danielle Jones to Christie Brooksher 10/17/19 GA00129218 to 129220	70
8		
9 Exhibit 800	E-mail from Ashunte Claybrooks to Layla Fitzgerald 3/30/18 GA03142380	77
10		
11 Exhibit 801	Georgia Apex Program Sustainability Plan GA03142381 to 03142392	78
12		
13 Exhibit 802	E-mail chain from Ashunte Claybrooks to Layla Fitzgerald 5/15/18 GA03147757 to 03147759	91
14		
15 Exhibit 803	Letter To Whom It May Concern dated 11/20/20 GA00130770 to 130771	94
16		
17 Exhibit 804	E-mail chain from Janel Allen to Danielle Jones 8/12/19 GA00472463 to 472465	100
18		
19 Exhibit 805	Behavioral Health Referral DCSB, School Counselor and Social Worker Use Only GA00472506	101
20		
21		
22		
23		
24		
25		

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
5

1 INDEX TO EXHIBITS, CONT'D

2 EXHIBITS		PAGE
3 Exhibit 806	E-mail from Apex Technical Assistance Response to Dimple Desai 9/27/21 GA04588105 to 04588106 (Confidential, Subject to Protective Order)	103
6 Exhibit 807	E-mail chain from Janel Allen to Layla Fitzgerald 4/13/21 GA03256694 to 03256695	104
8 Exhibit 808	Document produced by DeKalb Community Service Board in response to the United States' subpoena DEKALB006072 to 006114	118
11 Exhibit 809	School-Based Mental Health Services Apex Program What to Expect in Outpatient Treatment DEKALB006115 to 006199	128

15 * * *

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

6

1 THE VIDEOGRAPHER: We are now on the record.
2 Today is Monday, January 9th, 2023, and the time is
3 8:58 a.m. Eastern Time. This begins the videoconference
4 deposition of Janel Allen taken in the matter of United
5 States of America versus State of Georgia, Case Number
6 1:16-cv-03088-ELR, pending in U.S. District Court for the
7 Northern District of Georgia, Atlanta Division.

8 My name is Patrick Murphy. I am the remote
9 videographer today, and our court reporter is Marcie
10 Daughtry. We are both representing Esquire Deposition
11 Solutions.

12 If counsel could please introduce themselves
13 for the record starting with the taking attorney, and
14 then our court reporter will swear in the witness.

15 MR. HOLKINS: This is Patrick Holkins for the
16 United States.

17 MR. KIM: This is Andrew Kim with DeKalb County
18 Community Service Board.

19 MS. JOHNSON: And Melanie Johnson for the State
20 of Georgia.

21 MR. PUTNAM: I am Robert Putnam for the
22 Department of Justice.

23 >>>

24 >>>

25 >>>

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

7

1 JANEL ALLEN,
2 called as a witness herein, having been first duly sworn
3 by the shorthand reporter to speak the truth and nothing
4 but the truth, was examined and testified as follows:

6 MR. HOLKINS: Thank you very much, Patrick and
7 Marcie.

EXAMINATION

10 BY MR. HOLKINS:

11 Q Good morning, Ms. Allen.

12 A Good morning.

13 Q Before we dive into questions, I want to run
14 through some instructions. As you know, this is your
15 deposition occurring via Zoom. It's not in person, which
16 is unusual. I want to make sure that we are all on the
17 same page about how this is going to go.

18 As you, I'm sure, can tell, the deposition is
19 being recorded both in text and in video. To assist the
20 court reporter and videographer, I would ask that you
21 allow me to finish questions before you start your
22 answers.

23 Is that okay?

24 A Yes.

25 Q Also, for clarity of the record, I would

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
8

1 suggest that you and ask that you avoid saying "uh-huh"
2 or "huh-uh" or shaking your head or nodding your head.
3 Instead, reply with words and verbal answers.

4 Is that okay?

5 A Yes.

6 Q Do you have any documents in front of you,
7 Ms. Allen?

8 A I don't.

9 Q Okay.

10 A I do not.

11 Q Okay. Do you have access to your e-mail right
12 now on the account that you are using for the Zoom?

13 A I do.

14 Q Is your e-mail up?

15 A It is not.

16 Q Okay. Is there anyone in the room with you
17 right now?

18 A No. I am here alone.

19 Q Okay. Is there any reason why you would not be
20 able to answer my questions truthfully today?

21 A No, there is not.

22 Q I would like to just run through some
23 abbreviations that I may use in the deposition, again,
24 just to make sure that we're on the same page. If I
25 refer to "DBHDD," will you understand that to mean the

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
9

1 Georgia Department of Behavioral Health and Developmental
2 Disabilities?

3 A Yes.

4 Q If I refer to the "Georgia Department of
5 Community Health" -- or excuse me, if I refer to "DCH,"
6 will you understand that to mean the Georgia Department
7 of Community Health?

8 A Yes.

9 Q And if I refer to "G-a-D-O-E" or "GaDOE," would
10 you understand that to mean the Georgia Department of
11 Education?

12 A Yes.

13 Q And "CSB" means community service board,
14 correct?

15 A Yes.

16 Q If I refer to "GNETS," will you understand that
17 to mean the Georgia Network for Educational and
18 Therapeutic Supports?

19 A Yes.

20 Q So I think we may be ready for our first
21 document, which is going to be Exhibit 796.

22 MR. HOLKINS: So just one more thing before we
23 dive in. Marcie, if I start going too fast at any point,
24 you can raise your hand or just jump in. Just let me
25 know.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

10

1 THE REPORTER: Thank you, Patrick.

2 MR. HOLKINS: Absolutely.

3 Q BY MR. HOLKINS: So I'm going to pull up a
4 document right now. Just give me one second.

5 (Plaintiff's Exhibit 796 was marked for
6 identification.)

7 Q BY MR. HOLKINS: So I'm introducing Exhibit
8 796. I will give you remote control of the document,
9 Ms. Allen. Please take a moment to review it. You don't
10 need to review it line by line.

11 The question I'm going to ask you is whether
12 you have seen this document before, and you should now
13 have control.

14 A Okay.

15 Q I'm going to take the document back. Give me
16 one second. I am scrolling to the top of the document.

17 Ms. Allen, have you seen this before?

18 A I have not seen this particular document, no.

19 Q Have not. Okay.

20 And do you understand that this is a subpoena
21 ordering you to testify at a deposition in this matter?

22 A Yes.

23 Q And you are testifying in your personal
24 capacity as director of child and adolescent services in
25 the DeKalb Community Service Board. Is that correct?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

11

1 A Yes.

2 Q And that's the title you still hold?

3 A Yes.

4 Q Ms. Allen, do you understand that DeKalb
5 Community Service Board is not a party in this
6 litigation?

7 A Yes.

8 Q All right. I'm going to set this aside.

9 Again, it was 796.

10 So Ms. Allen, I'd like to ask you some
11 questions about your background and employment history.
12 First let me just ask, how long have you been an employee
13 of the DeKalb Community Service Board?

14 A I have been an employee for six years.

15 Q And have you been the director of child and
16 adolescent services for all six of those years?

17 A No, I have been the director for four years.

18 Q Okay. And what position did you hold prior?

19 A I'm sorry, can you repeat that?

20 Q Sure. What -- what position did you hold prior
21 to your current one at DeKalb Community Service Board?

22 A I held two different positions prior to that.
23 I started off as a child and adolescent case manager, and
24 then I transitioned to child and adolescent program
25 manager.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
12

1 Q And can you describe the difference between the
2 work of a case manager and a program manager at the
3 DeKalb Community Service Board?

4 A Yes. As a case manager, I was a
5 community-based worker, so I went out to schools and
6 homes or other community settings to meet with children,
7 adolescents, and their families, and provided resource
8 connection, skill building.

9 In the program manager role, I was not in a
10 community setting. I was office-based, and I had two
11 direct reports, peer specialists at that point.

12 Q When you were a case manager, did you provide
13 direct services to children in a school setting?

14 A Yes, I did.

15 Q Was that through the Apex program?

16 A I had some Apex clients, but I did not provide
17 those services in the school settings. I went to their
18 homes.

19 Q Okay. What services were you providing in
20 school settings as a case manager?

21 A I did school -- skill building, so that
22 entails, you know, anger management skill building,
23 anything related to what they were in services for. I
24 essentially supported the work done in therapy in the
25 schools. And then also if they had IEP meetings, I was

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
13

1 there to kind of consult with the education staff and
2 provide them with resources as well.

3 Q What Apex services were you providing in the
4 home setting when you were a case manager?

5 A In the home, I was, again, still doing skill
6 building but more so focused not just on with the child,
7 but with the parent as well, so assisting the parent with
8 things like behavior modification skill building
9 interventions.

10 Q Uh-huh. And when you were program manager,
11 before you became director of -- of child and adolescent
12 services at DeKalb Community Service Board, did you have
13 responsibility with respect to the Apex Program?

14 A As a program manager, no, I did not have any
15 responsibility over the Apex Program.

16 Q Okay. Did you have any role in implementing
17 school-based services in that capacity as program
18 manager?

19 A No, I did not.

20 Q Okay. So you -- if I understand correctly, as
21 case manager you were providing services in a school
22 setting outside of the Apex Program; is that correct?

23 A That's correct, yes.

24 Q Were you -- was -- was there a formal program
25 that this was implemented through?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
14

1 A That was through our outpatient services.

2 Q Okay. So is it fair to say that DeKalb
3 Community Service Board offers school-based services
4 through its general outpatient program separate and apart
5 from the Apex Program?

6 A Yes, that's -- that is correct. That is a -- a
7 service that we offer through our outpatient services.
8 It's not school-based. It's outpatient services, and the
9 location at times can be at the school, as well as other
10 community settings.

11 Q Understood.

12 So among the available settings for your
13 general outpatient services are schools?

14 A Yes. One of them are -- can be.

15 Q Okay.

16 A Yes.

17 Q And before we talk about your current role,
18 could you describe for us your educational background
19 after high school?

20 A Yes. Do you also need the -- just to clarify,
21 do you need the school -- the school location?

22 Q If you could -- yeah, if you could provide the
23 degree that you attained, the school you attained a
24 degree from, and the year, that would be sufficient.

25 A Okay. Great.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

15

1 Just starting with my bachelor's degree, I have
2 a bachelor's degree in psychology that I obtained in 2012
3 from the University of Georgia, a bachelor's degree in
4 sociology, also from the University of Georgia in 2012.
5 And I have a master's of science from the Mercer
6 University that I attained in 20 -- 2015.

7 Q Okay. That was a master's in what, I'm sorry?

8 A Master's of science in clinical --

9 Q Master's?

10 A Yes, in clinical rehabilitation counseling.

11 Q And that was in which year, I'm sorry?

12 A 2015.

13 Q Okay. Do you have a current clinical
14 licensure?

15 A Yes, I do.

16 Q And what is that licensure?

17 A I am a licensed professional counselor.

18 Q Do you hold any other licenses?

19 A I don't have any other licenses. I have a
20 certification as a certified rehabilitation counselor.

21 Q Could you describe what that certification
22 process was to become a certification -- a certified
23 rehabilitation counselor?

24 A Yes. So I -- it's a separate program from the
25 clinical mental health counseling program. Some of

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
16

1 the -- the courses are the same except it has a focus on
2 disability. So I went through that program. It's a
3 60-hour program. And then in addition to the test that I
4 had to take to obtain my LPC, which is my licensed
5 professional counselor, I had to take another exam, the
6 certified rehabilitation counselor exam, to attain that
7 certification.

8 Q When did you attain that certification?

9 A In 2018.

10 Q And it's current?

11 A Yes, it is.

12 Q So one thing I -- I forgot to mention on the
13 front end is that we will be taking breaks regularly. I
14 guess maybe at least every 90 minutes, if not more
15 frequently. Ms. Allen, if you need a break at any point,
16 just let me know. The only thing I would ask, if there
17 is a question pending, you first answer the question
18 before we take that break.

19 MR. HOLKINS: The same goes for the counsel or
20 court reporter or videographer. If anyone needs a break
21 at any point, just let me know.

22 THE WITNESS: Yes, I understand.

23 Q BY MR. HOLKINS: So let's talk about your
24 current role, which you've been in for four years,
25 correct?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
17

1 A Yes.

2 Q And that's as child and adolescent services
3 director at the DeKalb Community Service Board?

4 A Yes.

5 Q What are your duties in that role?

6 A As the child and adolescent director, I am
7 responsible essentially for the operations and any
8 clinical oversight over child, adolescent and young adult
9 services. So young adult services actually extends to
10 age 26, so that's in -- in our outpatient programs.

11 I also have oversight over the Apex Program,
12 which is our school-based program, and over our child and
13 adolescent community support team, which are the case
14 managers, and also the peer -- parent peer specialist.

15 Q Do you supervise staff in your role?

16 A Yes, I do.

17 Q So I want to kind of go program by program.
18 For the Apex Program, how many staff it usually provides,
19 approximately?

20 A Currently I have five staff. It can be up to
21 seven.

22 Q Is it fair to say that there are two vacancies
23 in the Apex Program in DeKalb Community Service Board
24 currently?

25 A Currently, yes.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
18

1 Q And what are those vacancies, the positions?

2 A They are therapist positions.

3 Q And then for the child and support program, the
4 case managers, how many staff do you supervise?

5 A We have four case managers.

6 Q And these are all child and adolescent-specific
7 case managers, or are they also seeing adults?

8 A No. They only see children and adolescents.

9 Q Okay. And who do you report to in your current
10 role?

11 A I report to the chief clinical officer.

12 Q Who is that?

13 A Renee Dryfoos.

14 Q In your current role, do you coordinate on a
15 regular basis with any staff at the Georgia Department of
16 Behavioral Health and Developmental Disabilities?

17 A Yes, I do.

18 Q With whom do you coordinate at DBHDD?

19 A I speak with Layla Fitzgerald and Danielle
20 Jones.

21 Q Is that -- in your coordination with Mrs. --
22 Ms. Fitzgerald and Ms. Jones, is that with respect to the
23 Apex Program?

24 A Yes, it is.

25 Q Do you coordinate at all with Danté McKay at

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
19

1 DBHDD?

2 A I have been in meetings with him but not -- I
3 don't direct -- usually do not directly coordinate with
4 Danté.

5 Q Do you coordinate with Monica Johnson at --
6 formerly at DBHDD?

7 A No, I don't.

8 Q Do you coordinate directly with any staff at
9 the Georgia Department of Community Health or DCH?

10 A I have been in meetings with -- they
11 don't -- they don't work -- I don't believe they work
12 directly with the Department of Community Health. I
13 coordinate with some of the community representatives for
14 some of the insurance providers but not -- I don't
15 believe they work directly for DCH.

16 Q Understood. Are you referring to the care
17 management organizations?

18 A Yes, I am.

19 Q Okay. Could you just provide a little bit more
20 detail about those meetings? In what context are you
21 meeting with community representatives at the care
22 management organizations?

23 A They are just general community meetings
24 related to child and adolescent services in DeKalb
25 County, so we just kind of get together and discuss gaps

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
20

1 in -- you know, in the community for children and
2 adolescents, and the representatives from some of the
3 care managed entities come because they often do
4 community health fairs and things of that nature.

5 Q Who else participates in those meetings?

6 A It's other child-serving agencies, some school
7 district representatives, DFCS, Department of Juvenile
8 Justice, anyone who -- community stakeholders,
9 essentially.

10 Q What is DFCS? Can you just define that acronym
11 for the record?

12 A Department of Family and Children Services.

13 Q And that's a State agency, correct?

14 A Yeah. Yes.

15 Q Does DBHDD participate in those meetings that
16 you just described?

17 A Yes.

18 Q Who represents DBHDD in those meetings?

19 A Olga Pittman.

20 Q Pittman?

21 A Pittman.

22 Q And do you know whether there are
23 representatives at DCH in those meetings?

24 A No, there is not.

25 Q What about the Georgia Department of Education?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
21

1 Is that agency represented in these meetings?

2 A No.

3 Q And is there a -- a name or a title for these
4 meetings? How -- how are they termed?

5 A It's the DeKalb Child and Adolescent Coalition
6 meeting.

7 Q Okay. How frequently do these coalition
8 meetings go?

9 A Bimonthly.

10 Q And have they been going on as long as you have
11 been the child and adolescent director?

12 A Yes.

13 Q Is this unique to DeKalb County, or is it your
14 understanding that similar meetings are happening for
15 Georgia's other counties?

16 A I'm unsure for other counties.

17 Q So you have not heard of a similar meeting
18 happening for any other county in Georgia?

19 A I'm -- I'm unaware of what happens in other
20 counties.

21 Q So you mentioned that there -- one topic of
22 discussion during these coalition meetings is gaps in
23 child and adolescent community services; is that
24 accurate?

25 A Yes.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
22

1 Q How recently has this coalition discussed gaps
2 in child and adolescent community services in DeKalb
3 County?

4 A We had a meeting last month.

5 Q And that was the topic of discussion at that
6 meeting?

7 A Yes. That's the general topic of the meetings.

8 Q Of the meetings. Understood.

9 And what specific gaps in child and adolescent
10 services in DeKalb County had been identified for these
11 coalition meetings?

12 A Access to after-school programming, summer
13 programming, programming for older teens, connecting them
14 to jobs. Those are generally the things that we look at.
15 Essentially resources for -- for them in the community,
16 access to resources.

17 Q Has expanding the Apex Program or school-based
18 behavioral services broadly been the topic of discussion
19 at these coalition meetings?

20 A No, it has not.

21 Q And has the coalition identified any specific
22 service gaps, which is to say specific services that are
23 not available sufficiently in DeKalb County, other than
24 what you identified?

25 A Generally, those are the main things we focus

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
23

1 on, are just resources. So a lot of it just has to do
2 with access to programming, cost. That's the biggest
3 barrier, so those are the things that we focus on.

4 Q And when you say cost is the biggest barrier,
5 do you mean reimbursement through Medicaid? What are you
6 talking about?

7 A Cost to attend like summer camps.

8 Q Okay.

9 A And after-school programs --

10 Q Uh-huh.

11 A -- for example.

12 Q Does the coalition make any recommendations or
13 proposals as a result of these meetings?

14 A Identifying other community agencies that could
15 be of help to assist the families, that could help
16 address some of the gaps. So, you know, for example,
17 that's when the -- the care managed entities joined so we
18 could get a sense to see if, you know, some of their
19 programs could support, you know, summer camp or after
20 school. So it's identifying other community partners to
21 bring on board to help with -- identify those gaps or be
22 a resource for those gaps.

23 Q And has the Georgia Department of Education
24 ever been identified as a key community partner that
25 should be participating in these discussions?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
24

1 A Not the State agency, no. We have the local
2 school district that joins the meetings.

3 Q Okay. But -- but no -- no one from Georgia
4 Department of Education, correct?

5 A No.

6 Q Do representatives of GNETS programs
7 participate in these coalition meetings?

8 A No, they don't.

9 Q And have GNETS program directors ever been
10 identified in the coalition meetings as key community
11 partners who should be participating?

12 A No, they have not.

13 Q So I know that your role as child and
14 adolescent services director is broadly oversight over
15 the programs that you described, and I want to go program
16 by program starting with Apex and just get a -- a more
17 detailed sense of what that oversight responsibility
18 looks like. And so for Apex, what are your day-to-day
19 responsibilities in overseeing that program?

20 A That is being available to the therapists who
21 work in the school building for any clinical
22 consultation, so if they have any questions about cases.
23 It is communicating directly with the school system, if
24 there are any programmatic concerns or operational
25 concerns within the school building.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
25

1 I also -- that is also doing reports on a
2 monthly basis and just -- just providing support to my
3 staff with anything that they need, so clinical --
4 clinically and operationally as well.

5 Q What kind of -- of programmatic or operational
6 concerns would be raised for -- for you to deal with in
7 your -- your capacity of overseeing the Apex Program?

8 A If there are any programs that we are trying to
9 implement that are within the guidelines of the contract
10 and the grant deliverables, we do need to consult with
11 the school, make arrangements to make sure those things
12 are seen through, make sure that the school understands
13 the things that -- the deliverables that we have to meet
14 for the program.

15 And then operationally, just if there are any,
16 you know, IT issues, sometimes the school can assist us
17 with those things as well. So that's -- mostly the
18 operation side is usually room, location. Sometimes
19 there may be different unexpected things that go on in
20 the school that we need assistance with.

21 Q Are you -- do you coordinate directly with
22 school administrators as part of your oversight
23 responsibilities for Apex?

24 A Yes.

25 Q And can you now tell me a little bit about the

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
26

1 kind of day-to day responsibilities you have with respect
2 to overseeing the case managers providing child and
3 adolescent services at DeKalb?

4 A So I'm the director of the program, but I have
5 a program manager that actually has day-to-day oversight
6 directly over the case managers. But my role in that is
7 overseeing her and making sure that she understands the
8 policies, procedures, understand the supervision needs of
9 that program and how it operates.

10 Q Would you say that you -- your current role had
11 responsibility for strategic development of the Apex
12 Program at DeKalb Community Service Board?

13 A Yes.

14 Q You mentioned one of your duties in overseeing
15 the Apex Program is providing monthly reporting. Is that
16 accurate?

17 A Yes.

18 Q And is that reporting to DBHDD?

19 A Yes, it is. But it actually goes, I think,
20 directly first to the Center of Excellence.

21 Q Right. That's at the Georgia State University,
22 correct?

23 A Yes.

24 Q And you're submitting monthly progress reports
25 and monthly programmatic reports in connection with the

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
27

1 Apex Program; is that accurate?

2 A Yes.

3 Q Do you provide any other monthly reporting to
4 the GSU's Center of Excellence or to DBHDD directly in
5 connection with the Apex Program?

6 A No.

7 Q Do you meet regularly with -- let me just start
8 it this way.

9 Do you ever meet with staff at the Georgia
10 State University Center of Excellence with respect to the
11 Apex Program?

12 A We have, yes, met. Yes.

13 Q Is that a regular meeting?

14 A Can you define regular?

15 Q Are you meeting on a monthly basis with staff
16 at the Georgia State University Center of Excellence with
17 respect to the Apex Program?

18 A No, not monthly.

19 Q And when you have met -- well, when was the
20 last time you met with staff at the Center of Excellence
21 with respect to Apex?

22 A I can't recall the actual month.

23 Q Was -- was it in the last year?

24 A Yes.

25 Q Okay. And what was that meeting about?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
28

1 A I can't recall. I'm sorry.

2 Q You referenced providing monthly progress
3 reports and programmatic reports to the Center of
4 Excellence in connection with the Apex Program, correct?

5 A Yes.

6 Q Do you ever meet with the Center of Excellence
7 staff concerning the reporting that you provide?

8 A No.

9 Q Do you ever meet with DBHDD concerning the
10 reporting that you provide to the Center of Excellence
11 about DeKalb County's -- DeKalb -- DeKalb Community
12 Service Board's Apex Program?

13 A No.

14 Q Do you have any understanding of what happens
15 with the data that you provide with respect to the Apex
16 Program to Center of Excellence?

17 A Yes. From what I understand, it's compiled and
18 put into an annual report to show statewide the numbers
19 for all the Apex programs.

20 Q Has DBHDD ever made recommendations for changes
21 to DeKalb's Apex Program in response to the data that was
22 reported?

23 A Yes.

24 Q What are the specific changes?

25 A That the schools, it's increased their

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
29

1 referrals to the program.

2 Q And was that based on review of the monthly
3 progress reporting data, to the best of your
4 understanding?

5 A Yes.

6 Q And after that recommendation was made by
7 DBHDD, did you see an increase in referrals by schools to
8 your area?

9 A Yes, we did. Yes, uh-huh.

10 Q We're gonna talk in more detail about Apex, and
11 I'm going to show you some documents as well. I think we
12 may be ready to jump into that now, actually, but let me
13 just do a little bit more orientation.

14 Can you describe the catchment area served by
15 DeKalb Community Service Board?

16 A DeKalb County, Georgia.

17 Q It's just -- just DeKalb County?

18 A Yes.

19 Q Okay. Are you aware of whether there are GNETS
20 facilities located in DeKalb County?

21 A Yes, I am.

22 Q Are you able to identify the GNETS programs or
23 facilities located in DeKalb County?

24 A One school, yes.

25 Q What is that school?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
30

1 A Eagle Woods Academy.

2 Q Are there any other GNETS schools or programs
3 based in DeKalb County to your knowledge?

4 A Not that I am aware of.

5 Q Have you ever visited Eagle Woods Academy?

6 A I have not.

7 Q Have you ever visited any GNETS program or
8 facility?

9 A I have not.

10 Q All right. Give me a second, and I'm going to
11 start showing some more documents.

12 A Okay.

13 Q We are up to 797.

14 (Plaintiff's Exhibit 797 was marked for
15 identification.)

16 Q BY MR. HOLKINS: Before I share this,
17 Ms. Allen, are you aware that DeKalb Community Service
18 Board received a subpoena for documents in connection
19 with this matter?

20 A Yes.

21 Q Did you have any role in producing DeKalb
22 Community Service Board's response to that subpoena of
23 the documents?

24 A Yes. I provided some of the documents.

25 Q So what I'm going to pull up now, which is 797,

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
31

1 is an excerpt from a document that was produced by DeKalb
2 Community Service Board in response to the United States'
3 subpoena for documents. This is just three pages from a
4 fairly lengthy document.

5 I want to give you control, but let me first
6 just identify what this is. For the record, this is
7 DEKALB0005045.

8 Ms. Allen, you should have control of the
9 document if you want to scroll through. Just let me know
10 when you are done.

11 A Okay.

12 Q I'm going to take control back and scroll to
13 the top of the document.

14 Ms. Allen, my understanding of -- of this
15 document, at least the first page here, is that it
16 identifies the schools that are participating in the Apex
17 Program through DeKalb Community Service Board; is that
18 accurate?

19 A That is correct.

20 Q And is this list current as of today's date?

21 A Yes, it is.

22 Q Scrolling down to page 2 and 3, I see a list of
23 individuals identified on both pages. Is it accurate to
24 say that this is the list of individuals who work on the
25 Apex Program at DeKalb Community Service Board?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
32

1 A Yes. During that time period that was
2 requested, yes.

3 Q During the relevant time period for the
4 response to the subpoena?

5 A Yes.

6 Q Okay. So some of these individuals no longer
7 work at DeKalb Community Service Board; is that correct?

8 A That is correct.

9 Q Okay. I think you said at present there are
10 five individuals who are working on -- under you on the
11 Apex Program at the DeKalb Community Service Board?

12 A Yes.

13 Q Okay. I'm going to scroll back up to the list
14 of schools. Did you have any role in identifying any of
15 these schools to participate in the Apex Program?

16 A No, I did not.

17 Q Are you coordinating directly with school
18 administrators at each of these schools with respect to
19 the Apex Program?

20 A Yes, I do. More specifically, my therapist has
21 more direct interaction with the -- the administrators at
22 each specific school.

23 Q And going back, do you have any understanding
24 of how these schools were selected to participate in the
25 Apex Program offered by DeKalb Community Service Board?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
33

1 A Yes. I -- I don't know the exact name of the
2 model, but the DeKalb schools, I believe, uses the --
3 what's called the CCRPI scores to identify the -- excuse
4 me -- the lower performing schools. And that's how they
5 were identified.

6 Q And what -- can you just describe what the
7 metrics are and the factors that are relevant to that
8 score?

9 A It's -- I think it's a college readiness
10 indication score, I believe. That's really my knowledge
11 related to that.

12 Q That's fine. Do you know whether the -- the
13 number or percentage of students with diagnosed
14 behavioral health conditions factors into the decision of
15 whether a school should receive Apex services at DeKalb
16 Community Service Board?

17 A I do not know.

18 Q Do you think that's a relevant factor for
19 deciding which schools should participate in the Apex
20 Program?

21 A Not necessarily, because most kids have an
22 undiagnosed mental health condition. So that would be,
23 you know, kind of hard to determine prior to selecting a
24 school.

25 Q Do you think that if -- is it relevant -- if a

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
34

1 school is reporting a significant number of behavioral
2 issues, is that a relevant factor in selecting whether
3 their school should participate in the Apex Program?

4 A Yes, it would be.

5 Q What about placements in GNETS? Do you view
6 that as a relevant factor in determining which schools
7 should be receiving Apex services?

8 A I am unsure because I'm not really -- I don't
9 have knowledge about placements in GNETS program.

10 Q So do you understand that students in schools
11 like these can be referred for placement in the GNETS
12 program? Is that consistent with your understanding?

13 A Yes.

14 Q Have you ever seen any data reflecting the
15 number of students referred from the schools within
16 DeKalb County to GNETS programs?

17 A I have not.

18 Q If a school were to send ten or more students
19 every year to a GNETS program, do you think that would be
20 relevant to the decision of whether that school should be
21 participating in Apex?

22 A I'm unsure.

23 Q Why are you not sure?

24 A I mean, there -- there would be other factors
25 I would have to -- I would look at. Compared to the

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
35

1 entire population of the school, it's -- I wouldn't be
2 able to affirmly say yes or no.

3 Q But you would agree that the number of
4 referrals from the school to GNETS could be a relevant
5 factor in determining whether they would benefit from
6 Apex services?

7 A Yes.

8 Q Let's set this aside. I'm going to bring up
9 another document. Give me a second.

10 (Plaintiff's Exhibit 798 was marked for
11 identification.)

12 Q BY MR. HOLKINS: Ms. Allen, I just posted what
13 we are going to mark as Exhibit 798. This is also a
14 document that was produced by DeKalb Community Service
15 Board in response to the United States' subpoena in this
16 matter. It's an excerpt of a fairly large document. And
17 for the record, I will identify this one as DEKALB003588.

18 It's -- it's fairly long itself, and so I don't
19 want to take too much time. I do want to direct you to
20 page 5 of the document, which identifies you as the
21 person submitting this report, with your e-mail address
22 and the date of the submission, which was April 4th,
23 2022.

24 My first question to you, Ms. Allen, is,
25 whether this is an example of a monthly progress report

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
36

1 for the Apex Program?

2 A Yes, it is.

3 Q Okay. And specifically -- give me one second.

4 So this is a -- a monthly progress report in connection
5 with the Apex Program offered by DeKalb Community Service
6 Board at E.L. Miller Elementary, correct?

7 A Yes.

8 Q Apex 2.0, what does that mean?

9 A We have two separate lines of funding for the
10 Apex Program. Some of our schools are in the base
11 funding, so the first initial funding for this program;
12 and then there was an expansion of funding that we
13 applied for and received, and those schools are under
14 2.0. So we have to track those separately under two
15 separate lines of funding.

16 Q Is DeKalb Community Service Board currently
17 receiving funding for its Apex Program through each of
18 these streams, 1.0, 2.0, and 3.0?

19 A Not through 3.0.

20 Q Okay. So it's just 1.0 and 2.0 currently?

21 A Yes.

22 Q Has DeKalb Community Service Board ever
23 received funding through Apex 3.0?

24 A No, we have not.

25 Q Has DeKalb Community Service Board applied for

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
37

1 funding through Apex 3.0?

2 A For 3.0, yes, we did.

3 Q And you were denied that funding?

4 A That is correct.

5 Q When did that occur?

6 A I believe that was in 2021.

7 Q Thank you.

8 So I'm going to just scroll through this
9 document and ask you questions about some things that
10 come up. So on page 6, just to confirm, these are the
11 relevant grades for E.L. Miller Elementary, correct,
12 pre-K through fifth grade?

13 A Yes.

14 Q And on page 7 of this document, you identified
15 the number of unique students receiving school-based
16 behavioral health services. And this lists three,
17 correct?

18 A Yes.

19 Q Are you still providing monthly reporting for
20 E.L. Miller?

21 A Yes.

22 Q So also on page 7 there is a list of referral
23 sources, correct?

24 A Yes.

25 Q And this identifies for the relevant month, one

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
38

1 referral by a school counselor, correct?

2 A That is correct.

3 Q In your experience overseeing the Apex Program
4 in DeKalb Community Service Board, what are the most
5 common referral sources for Apex services by schools?

6 A The school counselor.

7 Q Have you ever seen a referral by a GNETS
8 program for Apex services?

9 A No, I have not.

10 Q So in scrolling down to page 8, there's a
11 prompt to indicate the number of Tier II school-based
12 mental health services and then a list of those services.

13 Let me first ask you, Ms. Allen, what are Tier
14 II services?

15 A Tier II services are -- identifies at risk or
16 screening level services, so that could be attending RTI
17 meetings, IEP meetings for students who are not -- we are
18 not currently servicing. They have been identified as
19 potential referrals. It could also be group services
20 that we do for students who are not being serviced but
21 maybe they have a -- a particular identified challenge
22 that the school would like us to do groups on. And also,
23 it could be a crisis intervention support as well.

24 So more of the focus are on students that are
25 not being provided with direct services currently.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
39

1 Q And just to confirm, this document, page 8,
2 reflects that there were zero children at E.L. Miller
3 Elementary that received Tier II services for this
4 reporting period; is that correct?

5 A That is correct.

6 Q Okay. So I want to scroll down and now talk
7 about Tier III services, and that's identified here as
8 individualized interventions for students identified as
9 living with behavioral health diagnoses. Is that
10 consistent with your understanding of what Tier III
11 refers to?

12 A Yes.

13 Q So there's a list of services here, Tier III
14 services, and it appears that you identified the number
15 of students that receive each of those services for the
16 reporting period; is that correct?

17 A That is correct.

18 Q I see that there were two children who received
19 behavioral health assessments in a school setting during
20 the reporting period at E.L. Miller, correct?

21 A That is correct.

22 Q What is the behavioral health assessment?

23 A That is an assessment we do at intake, so when
24 they first enter the program, and we repeat it every six
25 months after that to look at that progress. So we have

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
40

1 different outcome measures included in that. So it just
2 gives us a clinical outlook of the clients that we are
3 serving and their families.

4 Q So if I understand correctly, this is a
5 requirement for the children who are entering the Apex
6 Program to receive it; is that accurate?

7 A Yes.

8 Q And what -- and it recurs every six months for
9 students who remain enrolled in Apex, correct?

10 A That is correct.

11 Q What -- what events would trigger a -- a
12 reassessment before that six-month period?

13 A If they go into the hospital in an inpatient
14 setting.

15 Q Anything else?

16 A No.

17 Q And so if a student was referred for a GNETS
18 placement, that would not trigger a new behavioral health
19 assessment, correct?

20 A Not -- no, not in that particular circumstance.

21 Q In what circumstance would it trigger a
22 behavioral health assessment, other than if there was an
23 admission to a hospital?

24 A No, that's -- that would be it.

25 Q Okay.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
41

1 A As far as my experience, yes.

2 Q Okay. I'm gonna ask you to describe a few more
3 of the services here, but first let me ask you, are you
4 familiar with the term "functional behavioral
5 assessment"?

6 A Yes, I am.

7 Q And how is that different from a behavioral
8 health assessment?

9 A The behavioral health assessment is -- it's --
10 it also includes a psychosocial assessment, so it's also
11 looking at their clinical history, just kind of overall
12 functioning mentally, as well as behavior of --
13 functional behavior. FBA, essentially, is just looking
14 at particular behaviors related to their emotional
15 behavior disorder over a period of time.

16 Q Just to confirm, F -- FBA is your functional
17 behavioral assessments, are not identified here as a
18 Tier III service, correct?

19 A No. I don't believe so, no.

20 Q And does DeKalb Community Service Board, either
21 through Apex or through its general outpatient services,
22 offer functional behavioral assessment?

23 A We do not.

24 Q Do you believe that's a gap in the service menu
25 at DeKalb Community Service Board for children and

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
42

1 adolescents?

2 A Not currently.

3 Q You don't think there's a need for functional
4 behavioral assessments at DeKalb Community Service Board?

5 A Not that I have identified, no.

6 Q Can you describe what a diagnostic assessment
7 is and who would perform that at DeKalb Community Service
8 Board?

9 A Yes. The diagnostic assessment refers to
10 the -- our psychiatric evaluation, which would be done by
11 the psychiatrists or could be done by a nurse
12 practitioner or CNS.

13 Q I want to go back quickly. What's your
14 understanding of this -- of what -- let me try again.

15 For functional behavioral assessments, what
16 staff would provide that service if it were offered, what
17 discipline?

18 A The therapist could perform that, a licensed
19 therapist.

20 Q So the -- the same licensure that's required
21 for the therapists currently working in schools through
22 DeKalb County, DeKalb Community Service Board's Apex
23 Program; is that correct?

24 A Yes.

25 Q What is crisis intervention as to -- as you

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
43

1 understand it?

2 A Yes. So that could be a student that is
3 expressing suicidal thoughts, self harming; could be
4 having behavioral outbursts, being disruptive. Those are
5 all considered crisis intervention situations. And also
6 if immediate, like grief counseling, if there was a
7 traumatic event that occurred, as well, that would fall
8 under that, too.

9 Q And would the Apex therapists also be charged
10 with providing crisis intervention services?

11 A Yes.

12 Q Could you describe what psychiatric treatment
13 means in this context?

14 A Yes. Those would be ongoing appointments with
15 the psychiatrist, nurse practitioner or CNS. So
16 anything --

17 Q Are --

18 A -- after that.

19 Q Sorry, go ahead.

20 A Anything after the initial evaluation.

21 Q Okay. And can those occur in a school setting?

22 A No, they do not.

23 Q So that's only clinic based?

24 A Or telehealth, yes.

25 Q Or telehealth.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
44

1 And just to make sure I understand, could a
2 child receive psychiatric treatment in the school setting
3 via telehealth?

4 A Yes, they could.

5 Q And this psychiatric treatment service would be
6 provided not by the Apex therapist but by other staff
7 working for the DeKalb Community Service Board; is that
8 correct?

9 A Yes.

10 Q Crisis intervention services can be provided in
11 a school setting, correct?

12 A Yes.

13 Q Could you describe what community support
14 individual services are in this context?

15 A Yes. That is the services that can either be
16 provided by the therapist in the school setting,
17 providing skill building to the student or to the staff
18 related to behavior interventions. That can -- the
19 service can also be provided by the case managers in the
20 homes and other community settings.

21 Q And what's the goal of community support
22 individual services?

23 A It is to reinforce skills learned in individual
24 and family therapy outside of the therapeutic setting.

25 Q Thank you.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
45

1 Individual outpatient services, there's a
2 parenthetical here. It says, "I.e., therapy session."
3 Could you describe what's meant by individual outpatient
4 services in this context?

5 A Yes. That would be the individual therapy
6 service between the therapist and in this case the
7 student, which can be done in the school setting or at
8 times telehealth if their school is not in session.

9 Q So the individual outpatient -- outpatient
10 service could be provided by a telehealth in a -- in a
11 child's home. Is that accurate?

12 A Yes.

13 Q And would the Apex therapist embedded in that
14 particular school, in this case E.L. Miller, be
15 responsible for providing that service by a telehealth in
16 the child's home?

17 A Yes.

18 Q Can you describe what medication management
19 means in this context?

20 A So medication -- medication management is a
21 step-down service from consistent individual therapy. It
22 can be provided as little as every three months and where
23 you are just kind of doing check-ins to make sure they're
24 keep -- you know, taking their medications as prescribed.
25 Symptom management, providing skills, we currently do not

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
46

1 typically do that for children. Just monitoring every
2 three months.

3 Q Let me make sure I understand. The medication
4 management is -- is not typically a service that's
5 offered to children and adolescents at DeKalb Community
6 Service Board. Is that accurate?

7 A Typically, no. Just because of infrequency
8 of -- of that particular service, we do not see too many
9 children on medication management.

10 Q Okay. Can you describe what nursing
11 services/assessment means and how that's different from
12 diagnostic assessment?

13 A Yes. It's a -- a medical assessment or -- with
14 the nurse at the clinic, and they just go over their
15 medical history. Nursing services can also include any
16 labs that the doctor or medical provider may request, or
17 administering of medication such as injections.

18 Q Can nursing services be provided in school
19 settings, or is this a clinic-based service exclusively
20 at DeKalb Community Service Board?

21 A That is a clinic-based service.

22 Q Could you help me understand how access to
23 nursing services would be coordinated for a child that's
24 participating in the Apex Program? What would be the
25 steps?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
47

1 A Yes. They would have their evaluation with the
2 doctor first, and then based on that evaluation, the --
3 if the doctor recommends that the child be seen for a
4 nursing assessment or labs to be drawn, and that's
5 usually based on the doctor's clinical assessment. So
6 it -- it would come from the doc -- the doctor or medical
7 provider.

8 Q Okay. And just in terms of even getting from,
9 you know, this school to the clinic, would there be a
10 referral by the Apex therapist or the school counselor?
11 How does that work?

12 A To -- I'm sorry, just to clarify, to see which
13 provider?

14 Q To see -- let's start with the -- the doctor
15 for that initial assessment before the recommendation is
16 made for nursing assessments.

17 A Okay. That's actually standard practice.
18 Everyone is evaluated by the doctor, so that -- that
19 appointment is scheduled during the intake assessment.

20 Q Okay. And that's the behavioral health
21 assessment that we talked about?

22 A Yes.

23 Q Okay. So every child that enters the Apex
24 Program is going to receive a behavioral health
25 assessment, and then as a matter of course a referral for

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
48

1 a assessment by a doctor or nurse practitioner; is that
2 correct?

3 A That is correct.

4 Q Okay. And that latter assessment by the doctor
5 or nurse practitioner would occur in a clinic setting?

6 A Yes, or via telehealth.

7 Q Or via telehealth, okay.

8 Is it fair to say for all telehealth services
9 that are offered by DeKalb Community Service Board, they
10 can be provided in a school setting?

11 A Yes.

12 Q What's service plan development mean in this
13 context?

14 A Yes, that is the treatment plan that outlines
15 all of the services that would be done over the course of
16 treatment within the program.

17 Q Who is responsible for service plan development
18 for children enrolled in the Apex Program at DeKalb
19 Community Service Board?

20 A The therapist.

21 Q Do you have any oversight responsibilities with
22 respect to, for example, service plan development by
23 therapists through DeKalb Community Service Board's Apex
24 Program?

25 A Yes.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
49

1 Q What are they?

2 A Making sure that the therapists are
3 knowledgeable about what services should be on -- on the
4 treatment plan, and also understanding how to
5 individualize the service plans and make it tailored to
6 the students' and the families' needs.

7 Q And why is it important to individualize
8 service plan development to meet the needs of the child
9 and family?

10 A Well, it follows a client-centered model. So,
11 you know, we want the child and the family to be involved
12 and have a say in what their goals are and as far as
13 treatment outcomes and just overall improvement and
14 quality of life.

15 Q What is intensive family intervention in this
16 context?

17 A That is a -- actually, a higher level of care
18 service. It's -- it is for children and adolescents who
19 are not responding to treatment at the nonintensive
20 outpatient level and need additional support.

21 Q Can intensive family intervention be provided
22 in a school setting?

23 A Yes, it can be. This is not something DeKalb
24 Community Service Board offers.

25 Q To your knowledge, has DeKalb Community Service

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
50

1 Board ever offered intensive family intervention, or IFI?

2 A Not to my knowledge.

3 Q Do you think that is a gap in the services
4 offered by DeKalb Community Service Board that needs to
5 be addressed?

6 A No, it is not, because we have community
7 partners that do provide the service that we connect with
8 to provide for the families who do -- we identify do need
9 a higher level of care.

10 Q So to make sure I understand, DeKalb Community
11 Service Board makes referrals to other providers of
12 intensive family intervention where needed. Is that
13 accurate?

14 A Yes.

15 Q Which specific provider does DeKalb Community
16 Service Board refer to for the intensive family
17 intervention service?

18 A Pathways Transition Program or Georgia --

19 Q Sorry, go ahead.

20 A And the other is Georgia Health Partners.

21 Q Okay. So Pathways Transition Program, is that
22 the first one?

23 A Yes.

24 Q And then Georgia Health Partners is the second?

25 A Yes.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
51

1 Q Are they based in DeKalb?

2 A I don't know where their offices are based, but
3 DeKalb is one of their counties that they serve.

4 Q Understood.

5 Are you aware of whether therapists in DeKalb
6 Community Service Board's Apex Program have made
7 referrals to the intensive family intervention service at
8 either of those providers?

9 A Yes, we have.

10 Q Has that occurred in the last year?

11 A Yes.

12 Q How many referrals to intensive family
13 intervention were made in 2022?

14 A I don't have the exact number.

15 Q Was it more than five?

16 A No.

17 Q So between one and five students were referred
18 to intensive family intervention in 2022 through the
19 DeKalb Community Service Board's Apex Program, correct?

20 A Yes.

21 Q What is Intensive Customized Care Coordination
22 or IC3?

23 A That's a wraparound service that's offered at
24 the State level. This is again for families who need
25 additional support. It's -- it does not include

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
52

1 therapeutic services. It's just kind of intensive case
2 management services and support, and I also believe it
3 includes a parent peer specialist.

4 Q To your knowledge, can Intensive Customized
5 Care Coordination be provided either in person or by
6 telehealth in a school setting?

7 A I believe it can, yes.

8 Q Does DeKalb Community Service Board currently
9 offer Intensive Customized Care Coordination, or IC3?

10 A No, it does not.

11 Q And does DeKalb Community Service Board
12 likewise make referrals to other providers for children
13 who need IC3?

14 A Yes.

15 Q And to which referral -- to which providers does
16 DeKalb Community Service Board refer students who need
17 IC3?

18 A One of the providers is View Point Health.

19 Q Uh-huh. Is there any -- is there another, or
20 is that the only one that you can recall?

21 A There is -- there is another provider. They
22 have a new name and I can't recall, but it used to be
23 called Lookout Mountain.

24 Q Right. Right.

25 And did DeKalb Community Service Board through

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
53

1 its Apex Program make referrals to IC3 in 2022?

2 A No, we did not.

3 Q So we're going to take a break in a few
4 minutes, but I just want to ask you -- let me see if I
5 can make it just a little bit smaller so we can see the
6 full list of services.

7 Ms. Allen, do these services in general, in
8 your experience as child and adolescent services director
9 at DeKalb Community Service Board, do these services help
10 students manage their behavioral health needs in their
11 home schools and communities?

12 A Yes, it does.

13 Q How do you know that?

14 A A couple of different things. We have measures
15 that I mentioned that we do regularly to determine
16 progress made. So one of the things is the CANS
17 assessment. We have a -- our strength and difficulty
18 questionnaire scores. A decrease in those scores show
19 that their difficulties in certain areas are decreasing.
20 We also monitor students' disciplinary referrals and
21 grades over time as well. And, of course, the -- the
22 therapists often speak with their teachers to also assess
23 their behaviors, and the parents, as well, to -- to
24 assess if they are showing improvement at home as well.

25 Q Thank you very much, Ms. Allen.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
54

1 You referred to monitoring data around
2 disciplinary referrals; is that accurate?

3 A Yes.

4 Q Is that something that's reported to the Center
5 of Excellence and DBHDD through this monthly progress
6 report, or is that something that DeKalb Community
7 Service Board is collecting and monitoring separately?

8 A I believe that was something that used to be
9 collected on the monthly reports, but we collect that
10 data in our -- ourselves when we can get -- when we can
11 get it.

12 Q Okay. And just to -- just to make sure, let's
13 just go ahead and go through this document. This is --
14 just to make it clear, this is from April 2022, and so
15 it's reflecting the practice in place as of March 2022.

16 My understanding is that there is nowhere on
17 this form that would reflect the number of disciplinary
18 referrals for students participating in Apex at E.L.
19 Miller during that reporting period. Is that accurate?

20 And I'm happy to share the screen. If you
21 would like to take control, you can.

22 A Yes, thank you.

23 Q You got it.

24 A Okay. No, it's no longer included in the
25 reports.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
55

1 Q Okay. And the -- to the best of your -- your
2 knowledge and recollection, that's not something that's
3 being reported currently through the monthly progress
4 reporting to the Center of Excellence and DBHDD for your
5 Apex Program?

6 A No, it is not.

7 Q Okay. What's the relevance of this
8 disciplinary referral data that you said you are
9 sometimes able to access in connection with students
10 participating in behavioral health services in their
11 schools?

12 A Yes. Well, it helps us get a sense of if their
13 behavior is improving in the classroom setting. So in --
14 in disciplinary, it also means just phone calls home to
15 the parent. So if we see that reducing over time, it
16 lets us know that their behavior management in the
17 classroom is improving.

18 Q And if you -- I'm just going to take the
19 control back. Give me a second.

20 And if there are -- if you do not see
21 improvements in the disciplinary referrals, for example,
22 calls home, would that suggest there needs to be a change
23 in -- potentially in services being offered to the
24 student?

25 A Yes.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
56

1 Q And as a matter of practice, is that how DeKalb
2 Community Service Board uses that data?

3 A Yes, it is.

4 MR. HOLKINS: So we're at 10:15. I'd like to
5 take a break for, let's say, 15 minutes, so 10:30, and I
6 will wait for you, Mr. Murphy.

7 THE VIDEOGRAPHER: Okay. Hearing no objection,
8 we will go off the record now at 10:14 a.m.

9 (The deposition was at recess from 10:14 a.m.
10 to 10:30 a.m.)

11 THE VIDEOGRAPHER: We are back on the record at
12 10:30 a.m. Please proceed.

13 Q BY MR. HOLKINS: Ms. Allen, I want to pull back
14 up 798 which you were discussing previously. That's the
15 monthly progress report for E.L. Miller from March of
16 2022. Give me one second.

17 So I'm showing you the data you reported for
18 the Tier III services. First, I just want to confirm
19 that the -- the service definitions for each of these
20 services are contained in the Georgia Department of
21 Behavioral Health and Developmental Disabilities program
22 manual for behavioral health providers; is that accurate?

23 A Yes.

24 Q Do you receive any training from DBHDD with
25 respect to any of these services?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
57

1 A Yes. Just to provide clarity, more so related
2 to interventions, for example, for individual services
3 when it -- for the services listed here.

4 Q Can you describe what you mean by "individual
5 services"? How would that be different from what's
6 described here?

7 A Yeah. So for -- for example, it would be
8 things like play therapy interventions, how to work with
9 children who have experienced trauma, things of that
10 nature.

11 Q And who provides that training at DBHDD when
12 you do receive it?

13 A My -- the therapists are allowed to attend a --
14 a conference that DBHDD sponsors. It's during the
15 summer.

16 Q Is that optional for therapists at DeKalb
17 Community Service Board?

18 A It is, yes.

19 Q Have you -- sorry, go ahead.

20 A Yes, it is.

21 Q Do you participate in the annual conference --

22 A Yes.

23 Q -- for DBHDD?

24 You do? Okay.

25 A Yes.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
58

1 Q Do Apex staff receive training on an annual
2 basis with respect to evidence-based services?

3 A Yes.

4 Q Which specific evidence-based services do Apex
5 staff at DeKalb Community Service Board receive training
6 on annually?

7 A So they receive the play therapy training
8 annually, and we have other trainings that they have to
9 go through, including assessing suicidality. That's
10 something they have to go through year -- annually, to
11 show that they demonstrate they have knowledge how to
12 appropriately assess risk for suicide.

13 Q Any other evidence-based services or
14 interventions that your staff receive training on
15 annually that you can recall?

16 A Not annually, no.

17 Q And what about upon becoming an employee at
18 DeKalb Community Service Board? Are there other
19 trainings with respect to evidence-based services that
20 Apex staff receive at DeKalb Community Service Board?

21 A Yes. So they receive on-boarding training, so
22 that would include learning or knowing how to accurately
23 document based on the format that we utilize. They also
24 receive training on the behavioral health assessments
25 that we perform.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
59

1 So they -- essentially, they receive the
2 training that all -- even the outpatient clinicians
3 receive so that they're, you know, aware of all of the
4 evidence-based interventions that our agency approved, so
5 they are not practicing outside of their scope of what's
6 agency approved. So we also review that as well.

7 Q Are you familiar with applied behavioral
8 analysis, or ABA?

9 A Yes, I am.

10 Q Do you know whether that's an evidence-based
11 service?

12 A It -- from what I understand, it is.

13 Q Is that something that you have received any
14 training on?

15 A I have not.

16 Q Do you know whether any staff at DeKalb
17 Community Service Board, whether working in Apex or
18 elsewhere, have received training on ABA?

19 A I do not know.

20 Q Do you know whether Apex staff specifically
21 have received training on applied behavioral analysis?

22 A No, not to my knowledge.

23 Q They have not?

24 A They have not.

25 Q We talked briefly about functional behavioral

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
60

1 assessments. I wanted to get a sense from you of whether
2 you have received any training with respect to functional
3 behavioral assessments?

4 A No, I have not.

5 Q And you have no experience performing or
6 conducting functional behavioral assessments either,
7 correct?

8 A No, I do not.

9 Q You referenced the five staff working under you
10 for the Apex Program at DeKalb Community Service Board,
11 correct?

12 A Yes.

13 Q What are the disciplines of those five staff,
14 clinical disciplines?

15 A Two marriage and family therapists and three
16 professional counselors.

17 Q Licensed professional counselors?

18 A One is a licensed professional counselor. The
19 other two are licensed associate professional counselors.

20 Q What's the difference?

21 A The licensed associate professional counselors
22 are still under clinical supervision, so they -- they're
23 not fully independent licensed as of yet.

24 Q And for those two individuals who are at the
25 associate level, who is providing that clinical

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
61

1 supervision at DeKalb Community Service Board?

2 A Myself, I provide part of it. One has an
3 outside clinical supervisor, and the other has another
4 director who provides clinical supervision. But I
5 provide part of their clinical supervision as well.

6 Q Are those individuals working toward becoming
7 an LPC? Is this just kind of, you know, a stepping
8 stone, or do you expect them to remain as an associate?

9 A No. This is part of the process to fully
10 licensure. They have to undergo clinical supervision for
11 a number of -- certain amount of years, according to the
12 board. And then once they have those supervision hours,
13 direct client hours, then they can apply to be fully
14 licensed.

15 Q I understand. Thank you.

16 We talked a little bit about discipline --
17 disciplinary referral data that you sometimes are able to
18 access for students participating in the Apex Program in
19 DeKalb Community Service Board. Do you recall that?

20 A Yes, I do.

21 Q Is that data student-level data or school-level
22 data with respect to disciplinary reports?

23 A That is student-level data.

24 Q Okay. And who -- who maintains that data? Is
25 it -- is that something that's in the school's

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
62

1 possession, or is it something that DeKalb Community
2 Service Board has?

3 A That's maintained through a spreadsheet that we
4 have that tracks the current students that we serve.

5 Q And that's a spreadsheet that DeKalb Community
6 Service Board itself maintains?

7 A Correct.

8 Q Correct?

9 A Yeah.

10 Q Okay. And it would show for each of the
11 students participating in Apex through DeKalb Community
12 Service Board, how many disciplinary referrals and what
13 referrals occurred for the relevant period. Is that
14 accurate?

15 A Yes, just a number. It doesn't break down the
16 specific type; just how many for that month, yes.

17 Q And are you reviewing disciplinary referral
18 data on a regular basis with the therapists who were
19 assigned to specific schools?

20 A I review it quarterly, not monthly.

21 Q Okay. And for what purpose are you reviewing
22 that data quarterly?

23 A Just so they are -- they are aware of how their
24 students are performing conduct-wise in the classroom, if
25 that's something that, one, that can be discussed with

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
63

1 the parent to get their feedback, also with the teacher
2 to make -- also provide, make some interventions that may
3 be helpful for the teacher to try in the classroom.

4 Q You -- you referenced earlier this morning
5 participating in IEP meetings. Do you recall that?

6 A Yes.

7 Q And was that in your capacity as a case manager
8 before you became --

9 A Yes.

10 Q -- adolescent services director?

11 A Yes.

12 Q Are you still participating in IEP meetings?

13 A I do not.

14 Q Does anyone on your staff for the Apex Program
15 participate in IEP meetings?

16 A Yes, they do.

17 Q Is that a part of the responsibility of Apex
18 therapists?

19 A Yes, it is.

20 Q Do you know whether the disciplinary referral
21 data that you were just referencing is -- is used to
22 guide the Apex therapists' participation in those IEP
23 meetings?

24 A I -- I can't say for sure because I'm not in
25 attendance in those meetings.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
64

1 Q Would you expect as supervisor for the Apex
2 staff at DeKalb Community Service Board that the student
3 disciplinary data would be relevant to the IEP
4 discussion?

5 A Yes.

6 Q Is your -- would you expect that Apex
7 therapists would be making specific recommendations for
8 changes to services or interventions during an IEP
9 meeting based in part on the disciplinary referral data?

10 A Yes.

11 Q And are you conducting any kind of review to
12 determine whether the student disciplinary data is
13 actually being used in that way?

14 A No, I don't. I do not.

15 Q Do you agree generally with the premise -- I'm
16 just going to take this document down. It's a little bit
17 easier to follow.

18 Ms. Allen, do you agree generally with the
19 premise that assessment should precede intervention in
20 child and adolescent services?

21 A Yes.

22 Q Why is that important?

23 A So you -- one, so the intervention that you are
24 providing is accurate based on data; the data supports
25 the intervention that you are utilizing.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
65

1 Q So both the kind of individualized assessment
2 and assessment of data, in your view, should be informing
3 the treatment that the child is receiving?

4 A Yes.

5 Q You referenced a few -- when we were going
6 through the list of Tier III services, you referenced
7 skill building as one of the services that can be
8 provided by Apex therapists. Is that accurate?

9 A Yes.

10 Q So what assessments does DeKalb Community
11 Service Board use to determine what skill building should
12 be provided to a student?

13 A Yes. So we utilize the Strength and
14 Difficulties Questionnaire, which is done at the intake,
15 which is the baseline, and every six -- it's every six
16 months. It outlines what areas that they still have --
17 are having challenges with.

18 And then also we get feedback from the parents,
19 as well as the teachers, as to what areas the child is
20 still having challenges with. And that informs us into
21 what, you know, skills are still needed or to be
22 reinforced.

23 And then also we do have a skills assessment
24 that we use -- that some of the case managers use as well
25 -- to determine what areas we should be focusing on with

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
66

1 the child and the family.

2 Q Okay. Thank you.

3 And I know that DeKalb CSB has produced some
4 forms to us as part of its response to our subpoena, and
5 we'll talk about the exact forms later.

6 I believe you also referenced providing
7 behavioral modification services as part of the Apex
8 services that are offered. Is that correct?

9 A Yes.

10 Q And are you using -- is DeKalb CSB relying on
11 the same sources of information to inform what behavioral
12 modifications should be provided to students?

13 A Yes.

14 Q So that would be the skill building -- or
15 excuse me, the strengths and difficulties assessment and
16 the information you received from parents, correct?

17 A Yes, and teachers and other stakeholders in the
18 child's life.

19 Q Can you describe the process of how Apex
20 therapists get that feedback from teachers and from
21 parents and from other key people in the child's life?

22 A Yes. So, of course, we start with the -- the
23 initial intake assessment where the parent kind of goes
24 into detail of why they are bringing their child in for
25 services, background information, describing how long the

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
67

1 behavior has been occurring or the particular emotional
2 challenge it -- challenge that's been occurring.

3 And then the therapists from -- well, we get
4 release of information to speak with teachers or anyone
5 else that the parent identifies may have additional
6 information and can provide a -- a clearer picture about
7 what's going on with the child, especially when they are
8 not in the parent's presence. So that includes teachers,
9 administrators, to get a sense of what may be triggering
10 the behavior, what they are doing right before the
11 behavior or the emotion occurs. And sometimes it could
12 also be classroom observation as well that we get that
13 information from.

14 Q How often do you expect Apex therapists to be
15 in communication with parents and teachers regarding a
16 child who is enrolled in Apex services through the DeKalb
17 Community Service Board?

18 A My requirement is at least once a month.

19 Q Okay. So I -- I want to shift gears for a bit.
20 We are going to talk more about Apex, but I want to ask
21 you some questions about GNETS.

22 First off, what is your understanding of what
23 the GNETS program is?

24 A It's a psycho ed program for children who have
25 emotional behavior disorders that are -- from an

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
68

1 assessment, they're -- they're determined that they can't
2 attend a traditional mainstream school.

3 Q And are you familiar with the process for
4 referring a student from their home school to a GNETS
5 program?

6 A No, I am not.

7 Q Have you ever participated -- this is kind of
8 reaching back to your time as a case manager when you
9 were directly involved in IEP meetings. Did you ever
10 participate in a decision to refer a child from their
11 home school to a GNETS program?

12 A No, I have not.

13 Q Do you have any sense of what services are
14 available to students within a GNETS program?

15 A I do not.

16 Q And you specifically referenced Eagle Woods
17 Academy, correct?

18 A Yes.

19 Q That's a GNETS program?

20 A Yes.

21 Q And you have no idea what behavioral health
22 services or supports are provided at that facility?

23 A I do not.

24 Q And is it also fair to say that you don't know
25 whether students enrolled in that facility can receive

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
69

1 within a school setting services that -- the services
2 that we identified in Exhibit 798?

3 A I do not.

4 Q Have you ever coordinated with a GNETS program
5 director or a direct chair staff at a GNETS facility?

6 A No.

7 Q Are you familiar with a document called the
8 GNETS Rule that was developed by the Georgia Department
9 of Education?

10 A No.

11 Q Do you know whether that rule, as developed by
12 the Georgia Department of Education, sets an expectation
13 of coordination between GNETS facilities and the local
14 community services board?

15 A No, I was not aware.

16 Q Are you aware of whether any staff at DeKalb
17 Community Service Board provide direct care services at a
18 GNETS program?

19 A No, not to my knowledge.

20 Q Is it also fair to say that the Apex staff who
21 are under your supervision currently at DeKalb Community
22 Service Board are not providing any services directly in
23 a GNETS facility?

24 A No, they are not.

25 Q Give me a second. I'm going to show a document

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
70

1 which will be 799. Bear with me one second.

2 (Plaintiff's Exhibit 799 was marked for
3 identification.)

4 Q BY MR. HOLKINS: Thanks for your patience.

5 So I'm just -- I just published what we're
6 marking as Exhibit 799. Ms. Allen, this is a document
7 that was produced to the United States by the State
8 during the course of this litigation. The Bates stamp is
9 GA00129218. It's an e-mail from Danielle Jones, who I
10 believe you referenced coordinating with at DBHDD,
11 correct?

12 A That is correct.

13 Q It's dated October 17, 2019. There are a
14 number of recipients through this e-mail, and that
15 includes you. I'll highlight the text here. That's your
16 e-mail address, correct, Janel --

17 A Yes.

18 Q -- Allen?

19 Okay. Thank you.

20 So the subject of this e-mail is "Follow up
21 from all CYF consortium," and I'm going to give you a
22 second to review the e-mail because I know it's from a
23 few years ago.

24 Give me one second, and I will shift control to
25 you. Just let me know when you are finished. You should

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
71

1 have control, Ms. Allen.

2 A Okay.

3 Q I am going to take control of the document
4 back.

5 A Okay.

6 Q Scroll up here. I want to direct you to the
7 body of the e-mail, which includes a chart with two
8 columns. The first is "Apex Schools," and the second is
9 "Non-Apex Schools." And under the column "Non-Apex
10 Schools," there is an entry for GNETS standalone
11 programs. The description says, "Education facility that
12 only holds a GNETS program; they do not align with the
13 Apex model of reaching students in all 3 Tiers of
14 service."

15 Ms. Allen, before reviewing this e-mail today,
16 were you aware that there was a restriction in place by
17 DBHDD prohibiting the provision of Apex services and
18 GNETS stand-alone programs?

19 A Not until I reviewed this document and it, you
20 know, jogged my recollection.

21 Q Okay. Is this a topic that you had discussed
22 with DBHDD at any point?

23 A No, I had not.

24 Q So I want to direct you to the text underneath
25 the -- the chart which reads that, "Apex funds are in

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
72

1 large not allowed to be used for GNETS students due to
2 GNETS programs being funded through a grant through the
3 Georgia General Assembly." It continues, "Apex funds are
4 also funded through the Georgia General Assembly. A
5 student would be 'double dipping' if they receive both
6 GNETS and Apex funds, and that -- and this is not
7 allowed. Also GNETS students are already receiving
8 intensive therapeutic services along with their
9 educational piece."

10 Ms. Allen, do you have any -- do you -- do you
11 agree with this restriction prohibiting Apex from
12 operating in GNETS stand-alone facilities?

13 A I don't have an opinion either way, to be
14 honest, because I -- I don't have enough knowledge in the
15 decision-making process as it pertains to this.

16 Q And you're in no position to say whether, in
17 fact, GNETS students are already receiving intensive
18 therapeutic services within that setting?

19 A No, I cannot say that because I am not familiar
20 with the -- what the -- what they do within the GNETS
21 programs.

22 Q The last line of this paragraph states that,
23 "The ONLY instance Apex funds can be used for a GNETS
24 student is if the student started at an Apex school, and
25 then was transferred into the GNETS program at their new

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
73

1 school."

2 Do you see that text?

3 A I do, yes.

4 Q Has that ever occurred, to your knowledge, at
5 DeKalb Community Service Board, where a student started
6 receiving Apex and then transferred to GNETS and then
7 continued to receive Apex?

8 A No, it has not.

9 Q Does DeKalb Community Service Board track the
10 number of students participating in its Apex Program who
11 then go into a GNETS facility?

12 A We would, but we haven't had that happen.

13 Q To your knowledge, it's never -- it's never
14 occurred?

15 A No.

16 Q In the four years that you've been director of
17 child and adolescent services at DeKalb?

18 A Yes, that is correct.

19 Q But you said that if this did occur, you would
20 want to track it. Is that accurate?

21 A Yes.

22 Q And why would it be important to track the
23 number of students participating in Apex who move into a
24 GNETS facility?

25 A Well, we would want to track anytime a student

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
74

1 moves out of Apex, an Apex school in general, because
2 that would mean that they technically are not receiving
3 Apex services once they move out of that school. So
4 anytime that happens, we -- we have to technically remove
5 them from the program and transition them to something
6 else, usually outpatient services.

7 Q So just to make sure I understand, the
8 expectation would be that a child moving into GNETS after
9 receiving Apex would be dis-enrolled from Apex but would
10 be enrolled in other outpatient services that may be
11 needed through DeKalb Community Service Board. Is that
12 accurate?

13 A Yes, other outpatient services or -- or
14 whatever is deemed appropriate for them.

15 Q And why would it be important to make that
16 linkage to outpatient services or other appropriate
17 services at that point in time?

18 A We want to make sure that there's not a
19 disruption in care; especially if there is a need for
20 them to continue services, we want to make sure they get
21 connected and continue services.

22 Q So the goal would be to continue working with
23 the child even after the placement in GNETS to provide
24 whatever services and supports that may be necessary?

25 A If that was to happen. If -- if that was to

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
75

1 happen, yes. But to my knowledge, that has never -- that
2 has not occurred.

3 Q And how -- how do you know that no
4 Apex-enrolled student at DeKalb Community Service Board
5 has moved to GNETS? How are you sure of that?

6 A Because we do get the information of what
7 school they enroll in next, to determine if they're
8 enrolling in one of our other Apex schools or if
9 there's -- there is not a program there. So we do know
10 what school they are going to.

11 Q Understood. So you would receive information
12 from the school, I'm assuming, if a child were to move to
13 a different school while enrolled in your Apex Program?

14 A It's mostly the -- the parents that inform us.

15 Q The parents?

16 A Yes.

17 Q And are you formally reaching out to parents to
18 get that information, or is it kind of incumbent on the
19 parents to provide it to you?

20 A We reach out to them.

21 Q Okay. I'm going to stop sharing this.

22 Students who are enrolled in Apex through
23 DeKalb Community Service Board, is your team working to
24 identify students who may be at risk of placement in a
25 GNETS facility?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
76

1 A Not to my knowledge, specifically, to identify.
2 They meet regularly with the school counseling staff and
3 social workers about students they're currently serving
4 and at times kids that they may want to refer to Apex
5 Program, but I can't say that those meetings involve
6 potential -- discussing potential placements to GNETS.

7 Q Do your staff at DeKalb Community Service Board
8 participate in IEP meetings for students that are not
9 enrolled in Apex?

10 A They could if the parent requested it.

11 Q And does that happen?

12 A It has. Not as frequently, but it is a service
13 that is offered to the school.

14 Q I'm not going to ask for you to provide an
15 exact number, but in 2022, did this occur more than five
16 times, where a parent requested that DeKalb Community
17 Service Board participate in an IEP meeting for a student
18 not enrolled in Apex?

19 A No, not to my knowledge.

20 Q So it occurred between one and five times in
21 2022 or not at all?

22 A Yes, between one and five times.

23 Q Okay. And do you have any sense sitting here
24 today of how many students were referred from DeKalb
25 County schools to GNETS in 2022?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
77

1 A No, I do not have that knowledge.

2 Q Do you know whether it's more than five?

3 A I do not.

4 Q And the role of DeKalb Community Service Board
5 staff when they participate in those meetings is to help
6 identify services and supports that may meet that child's
7 needs in their home school. Is that accurate?

8 A Yes.

9 Q All right. Give me a second. We are going to
10 move on to some more documents.

11 (Plaintiff's Exhibit 800 was marked for
12 identification.)

13 Q BY MR. HOLKINS: Ms. Allen, I just published
14 what we are going to mark as Exhibit 800. This is
15 another document produced by the State to the United
16 States in this matter. As you will see, the Bates stamp
17 is GA03142380, and this is an e-mail dated March 30, 2018
18 from -- and please correct me if I -- if I mispronounce
19 this. It's from Ashunte Claybrooks to --

20 A Yes.

21 Q -- Layla Fitzgerald.

22 Ashunte appears to have been, or perhaps still
23 is, an employee of DeKalb Community Service Board. Are
24 you familiar with that individual?

25 A Yes, I am.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
78

1 Q And is Mr. Claybrooks -- is it Mr. or Mrs., I'm
2 sorry?

3 A Mrs.

4 Q Mrs., thank you.

5 And does Ms. Claybrooks still work for DeKalb
6 Community Service Board?

7 A No, she does not.

8 Q Okay. And what was Ms. Claybrooks's role at
9 DeKalb Community Service Board at the time that she sent
10 this e-mail?

11 A She was the director of child and adolescent
12 services.

13 Q The role that you're currently in?

14 A Yes, that is correct.

15 Q Ms. Claybrooks is attaching in this e-mail a
16 sustainability plan, and this is being sent to DBHDD
17 staff, including Layla Fitzgerald and Danté McKay. Is
18 that all correct?

19 A Yes.

20 Q Okay. I want to show you now the
21 sustainability plan which is referenced as an attachment
22 here. Give me one second and I will pull that up as 801.

23 (Plaintiff's Exhibit 801 was marked for
24 identification.)

25 Q BY MR. HOLKINS: Ms. Allen, I just published

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
79

1 what we are marking as Exhibit 801. This is another
2 document produced by the State of Georgia to the United
3 States in this matter. The Bates number is GA03142381.
4 From its title, this appears to be the Georgia Apex
5 Program Sustainability Plan for DeKalb Community Service
6 Board dated 03/27/2018 submitted by Ashunte Claybrooks.

7 Ms. Allen, have you seen this document before?

8 A I have not.

9 Q Does DeKalb Community Service Board currently
10 have a sustainability plan for its Apex Program?

11 A I do not believe so. I have not done one in my
12 current role.

13 Q So in the four years that you've been child and
14 adolescent services director at DeKalb Community Service
15 Board, you have not worked on or submitted a
16 sustainability plan for the Apex Program to DBHDD?

17 A No, I have not.

18 Q Do you know whether a sustainability plan is a
19 requirement of the program deliverables for the Apex
20 Program as designed by DBHDD?

21 A I am aware that they would like us to reach a
22 level of sustainability and not rely solely on grant
23 funding to run the program. Yes, I am aware of that.

24 Q Do you know whether DBHDD specifically requires
25 that providers of Apex have a sustainability plan in

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
80

1 place?

2 A I don't know if a plan is required, but I know
3 that they like us to keep sustainability at the
4 forefront.

5 Q And can you describe your understanding
6 of -- of that goal, of maximizing funds outside of the
7 DBHDD grant. What's the purpose in that?

8 A Well, the -- the purpose is if the funds, you
9 know, were not able to be renewed or supported by DBHDD
10 any longer, that we would still be able to keep the
11 program going even without the funds.

12 Q And what specific funding outside of DBHDD
13 annual grants are you referring to that would help to
14 keep the program going if the grant funds were to expire?

15 A Well, you would want to when there is no
16 identified other funding at this time, but it would be to
17 have a referral flow and consistent clients that would
18 support it at a sustainable level so you wouldn't need
19 any funding outside of DBHDD to support it. So just to
20 get to the level of that threshold where, you know, you
21 would have the amount of clients to support that.

22 Q Right. And to make sure I understand, that the
23 sources of that funding would -- would principally be
24 third-party payers like Medicaid; is that accurate?

25 A That's correct.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
81

1 Q Okay. And do you know whether DeKalb CSB has
2 been able to expand the amount of third-party payer
3 funding that it brings into its Apex Program?

4 A We have increased our level of services, yes,
5 but I can't say that we are sustainable quite yet, but it
6 has improved.

7 Q And just to make sure, sustainable, as you're
8 using it in this context, means that if DBHDD were to
9 withdraw the annual grants, you would be able to continue
10 the program at current capacity, correct?

11 A That is correct.

12 Q Okay. Does DeKalb Community Service Board have
13 a timeline or a target for when it wants to achieve
14 sustainability?

15 A That's a -- that's an annual goal of ours.
16 That's a consistent goal. I don't have a particular
17 timeline, but that's something that I monitor throughout
18 the year.

19 Q Are you able to say or estimate for the last
20 calendar year or fiscal year how much funding through
21 third-party sources DeKalb Community Service Board
22 received in connection with its Apex Program?

23 A Yes, we have that information. I don't know it
24 offhand, but I do see that information.

25 Q So that's information that you could access?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
82

1 A Yes.

2 Q And do you know whether -- and recognizing that
3 you don't have the exact figure in front of you, did
4 DeKalb Community Service Board receive more in funding
5 from third-party payer sources than it received from
6 DBHDD for its Apex Program?

7 A No, I don't believe so.

8 Q So it's fair to say that the DBHDD annual grant
9 is still the dominant source of funding for DeKalb
10 Community Service Board's Apex Program?

11 A Yes.

12 Q Is achieving sustainability a topic of
13 discussion between you and DBHDD staff?

14 A Yes.

15 Q And what guidance or recommendations does DBHDD
16 provide to DeKalb Community Service Board to assist you
17 in achieving sustainability?

18 A To increase the amount of services we are
19 providing through the third payer source or to look for
20 other sources of funding, like directly from the school
21 district.

22 Q So that sounds like a general goal that DBHDD
23 has set for DeKalb Community Service Board. Have they
24 provided any kind of technical assistance on how to
25 achieve it?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
83

1 A Not direct technical assistance, but it's
2 just -- it's been -- well, I'm sorry, discussed in -- in
3 meetings that just didn't include our program.

4 Q So this would be a topic of discussion with
5 Apex providers broadly?

6 A That is correct.

7 Q But to your knowledge, DBHDD hasn't provided
8 any specific technical assistance on how to provide or
9 bill for more services through Apex, and this is specific
10 to DeKalb Community Service Board?

11 A Not specific to our agency, no.

12 Q And what guidance has DBHDD provided to all
13 Apex providers as to how to expand the number of services
14 provided and billed?

15 A In general, they just gave suggestions or
16 informed us about different services just to make sure
17 that we weren't missing opportunities to bill, so for
18 services that we were doing, to make sure that we knew
19 that those were billable services. As I mentioned,
20 seeking out other, you know, community partners as
21 funding sources, including the school districts that you
22 serve. Those were the main suggestions that they gave
23 us.

24 Q Who is providing that -- this guidance on
25 behalf of DBHDD?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
84

1 A I believe in those meetings it was Layla.

2 Q Layla Fitzgerald?

3 A Fitzgerald, yes.

4 Q What specific services did Ms. Fitzgerald focus
5 the community service boards on as opportunities for
6 expanding billables under Apex?

7 A I can't recall specifically. It was just a
8 general overview of services in general that we share --

9 Q That could be --

10 A -- the billing for.

11 Q Understood. So it was an overview of the
12 services that could be provided through Apex. Is that
13 accurate?

14 A Yes.

15 Q But you've never had a conversation with anyone
16 at DBHDD about specific strategies for expanding billing
17 services through your Apex Program?

18 A No, I have not.

19 Q So I -- I recognize you didn't draft this
20 document and it's from 2018. I want to direct you,
21 however, to an excerpt on page 3. It starts with
22 "Lastly." And the paragraph reads, "Lastly, it" -- being
23 Apex -- "has changed the method of services for children.
24 Providing therapeutic services within schools was largely
25 unchartered territory for DeKalb CSB before the Apex

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
85

1 project. Now it is seen as a viable option for meeting
2 the needs of children in the county."

3 Do you see that text?

4 A Yes, I do.

5 Q And do you agree that -- with this statement,
6 that Apex has created a viable option for meeting the
7 needs of the children in the county through their
8 schools?

9 A Yes, I do.

10 Q So under "New program activities to be added
11 within current schools" -- this is on page 4 -- I want to
12 direct you to a short paragraph that reads, "We have a
13 data sharing agreement with the school system where we
14 collect outcomes data on students including grades,
15 attendance and discipline referrals."

16 Do you see that text?

17 A Yes.

18 Q Is this the -- does this agreement facilitate
19 the access to the disciplinary referral data that we were
20 discussing earlier?

21 A Yes.

22 Q And this is an agreement that -- that DeKalb
23 Community Service Board has directly with the school
24 systems, correct?

25 A That is correct, yes.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
86

1 Q DeKalb Community Service Board does not share
2 this data with DBHDD, correct?

3 A No, we do not.

4 Q DBHDD, to your knowledge, has not requested
5 this data in connection with DeKalb Community Service
6 Board's Apex Program, to the best of your knowledge,
7 correct?

8 A To the best of my knowledge, no.

9 Q Has the Georgia State University Center of
10 Excellence requested this data, to the best of your
11 knowledge?

12 A No, they have not, to the best of my knowledge.

13 Q And if -- would you expect if there were a
14 request by DBHDD or the Center of Excellence for the data
15 relating to grades, attendance, and discipline referrals,
16 that that request would be made to you as the lead for
17 the Apex Program at DeKalb Community Service Board?

18 A I'm sorry, can you repeat that question?

19 Q Absolutely. If a request were made by DBHDD or
20 the Center of Excellence for this data, would you expect
21 that request to be made to you as the director of the
22 Apex Program?

23 A Yes.

24 Q Also on page 4 under "Expanding Your Project,"
25 the document references "a partnership with DeKalb County

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
87

1 Schools to expand current project -- our current project
2 to additional schools in order to increase
3 sustainability."

4 Do you see that text?

5 A Yes.

6 Q Does that remain a goal, for the DeKalb
7 Community Service Board to expand the Apex project to
8 include additional schools?

9 A Yes, that is the goal.

10 Q And has DeKalb Community Service Board set a
11 specific target for how many additional schools it would
12 like to add to its Apex Program?

13 A No, not specifically, because that depends on
14 funding.

15 Q Has DeKalb Community Service Board made a
16 specific proposal for adding schools to its Apex Program
17 since 2021?

18 A Not since 2021, no.

19 Q What in -- let's just go back to the beginning
20 of your time as child and adolescent services director.
21 Have there been requests made by DeKalb Community Service
22 Board to add additional schools to its Apex Program?

23 A Yes, when we applied for Apex 3.0.

24 Q How many additional schools was DeKalb
25 Community Service Board looking to serve through its Apex

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
88

1 Program with that Apex 3.0 application?

2 A I believe it was nine additional schools.

3 Q And that application for Apex 3.0 funding,
4 which would allow DeKalb Community Service Board to
5 expand its Apex programs in nine schools, that
6 application was denied, correct?

7 A That is correct.

8 Q Has DeKalb Community Service Board since
9 reapplied for Apex 3.0 funding?

10 A There haven't been additional opportunities to
11 reapply.

12 Q And that initial application was submitted in
13 2020. Is that accurate?

14 A Yes, it was.

15 Q What's --

16 A I'm sorry, it was -- no, it was submitted in
17 2019. Excuse me. Correction.

18 Q Thank you for that correction.

19 So the application for Apex 3.0 funding was
20 submitted by DeKalb Community Service Board in 2019?

21 A Yes, that is correct.

22 Q What's your understanding of why DeKalb
23 Community Service Board's application for Apex 3.0
24 funding in 2019 was denied?

25 A The explanation given was that other providers

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
89

1 that applied had better applications than we did -- than
2 we did, and that with our current line of funding, that
3 we still had room to expand with our current line of
4 funding.

5 Q So it was a competitive application process.

6 Is it fair to say that?

7 A Yes.

8 Q And DBHDD ultimately decided to award the grant
9 fund to other Apex providers?

10 A To other providers, yes.

11 Q And consequently, those nine schools are not
12 currently participating in Apex, correct?

13 A That is correct.

14 Q Could you describe the process the DeKalb
15 Community Service Board used for identifying the nine
16 schools that would have received Apex had this
17 application been granted?

18 A When we let DeKalb schools know we were
19 applying for Apex 3.0 and asked for a letter of support,
20 which was required for the application, they provided the
21 nine schools to us that they would like to potentially
22 expand into.

23 Q Was there any consultation with the -- the
24 school system about why they selected those nine schools?

25 A No, there was not.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
90

1 Q Has DeKalb Community Service Board undertaken
2 any assessment of the need for Apex services countywide?

3 A No, we have not.

4 Q Do you think it's fair to say that there are
5 schools beyond those nine schools identified for this
6 2019 application that need and could benefit from Apex
7 services in DeKalb County?

8 A Yes.

9 Q Are you familiar with the term "System of
10 Care"?

11 A Yes.

12 Q I'm looking at page 5 of the sustainability
13 plan which references the System of Care efforts
14 undertaken by DeKalb Community Service Board.

15 First, before I ask you about the text here,
16 what's your understanding of what a System of Care is?

17 A It's a philosophy, and I mentioned earlier,
18 it's identifying essentially the gaps in services for
19 children, adolescents and young adults, and working with
20 families and community partners to address those gaps in
21 the system.

22 Q What are, in your view, the key participants in
23 the System of Care approach for children and adolescent
24 service recipients?

25 A It's the -- it's the state -- you know, state

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
91

1 agencies, such as the local school districts, DFCS,
2 Department of Juvenile Justice. It's the local county
3 agencies like juvenile court and other community partners
4 like Boys and Girls Club. Any -- any community
5 stakeholder that has an interest in improving the lives
6 of children and adolescents and families would be
7 included in the System of Care.

8 Q If hypothetically a child who had been
9 participating in Apex through DeKalb Community Service
10 Board was then placed in the GNETS program, would you
11 expect the GNETS program to be a -- a key participant in
12 the System of Care approach for that child's treatment?

13 A Yes.

14 Q I'm going to set this aside. I'm going to show
15 you another document, Ms. Allen. This will be 802.

16 (Plaintiff's Exhibit 802 was marked for
17 identification.)

18 Q BY MR. HOLKINS: For the record, this is
19 GA03147757. It's an e-mail from Ms. Claybrooks, who at
20 the time was the director of child and adolescent
21 services in DeKalb Community Service Board, to Layla
22 Fitzgerald. It's dated 5/15/2018. The subject is
23 "Expansion of School Based Mental Health Services."

24 Ms. Allen, I know you did not receive or send
25 this e-mail. I want to ask you whether this list of

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
92

1 schools is the same -- identifies the same schools that
2 you were referring to either -- earlier that would have
3 received Apex services had DeKalb's Apex 3.0 been
4 granted.

5 A No, it was not.

6 Q This is different?

7 A Yes, it's different.

8 Q Okay. Can you describe -- so this is obviously
9 in 2018, which predates that application. Do you
10 understand -- and I can give you control of the document
11 if you need to take a look. But do you understand this
12 to be a proposal to expand the schools participating in
13 Apex through DeKalb Community Service Board?

14 A Yes, I do, based -- based on the -- the craft
15 of the e-mail, yes.

16 Q And just let me know when you've finished
17 reviewing. I do see a reference to the Apex Program in
18 an earlier e-mail that's read.

19 So let me just re-ask, does this appear to be a
20 proposal to expand DeKalb Community Service Board's Apex
21 Program by adding schools?

22 A Yes.

23 Q Okay. I'm going to take control of the
24 document back. Give me one second.

25 And it appears that this was a proposal that

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
93

1 was made in concert with representatives of DeKalb County
2 Schools. Is that accurate?

3 A Yes.

4 Q So going back up to Ms. Claybrooks' e-mail from
5 May 2018 to Layla Fitzgerald, I want to ask you whether
6 any of the schools that are identified in this e-mail,
7 starting with John Lewis Elementary School through
8 Fairington Elementary School, are currently participating
9 in the Apex Program through DeKalb Community Service
10 Board?

11 A Yes.

12 Q Which ones?

13 A Redan Elementary School.

14 Q And it looks like there are one, two, three,
15 four, five, six -- seven other schools identified in that
16 first list, and none of them are participating in Apex
17 currently through DeKalb Community Service Board,
18 correct?

19 A That is correct.

20 Q And this is a -- is there any overlap between
21 this list and the list of nine schools that were
22 identified in DeKalb Community Service Board's Apex 3.0
23 application in 2019?

24 A No, there is not.

25 Q So if we added up about seven schools from this

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
94

1 list plus nine schools from the 2019 application, so 16
2 schools in total that had been identified as needing Apex
3 services but are not participating in that program
4 currently through DeKalb Community Service Board. Is
5 that accurate?

6 A That is correct. This list, I believe,
7 actually pertains to 2.0, actually. So there were
8 schools added but just not these schools.

9 Q Not these schools. Understood.

10 So this was a request under a separate funding
11 stream, Apex 2.0?

12 A 2.0, yes.

13 Q But it still remains the case that there
14 were -- between these two applications, there were 16
15 schools that were identified as candidates -- good
16 candidates for Apex services which are not receiving them
17 currently through the DeKalb Community Service Board. Is
18 that accurate?

19 A That is correct.

20 Q Just give me a second. I'm going to pull up
21 another document. This will be 802 (sic).

22 (Plaintiff's Exhibit 803 was marked for
23 identification.)

24 Q BY MR. HOLKINS: Ms. Allen, I have just
25 published what we are marking as Exhibit 802 (sic). The

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
95

1 Bates number is GA00130770. This is a letter on the
2 DeKalb Community Service Board letterhead dated November
3 20, 2020. I am going to give you control of the document
4 so you can take a look at it. Please let me know when
5 you finish.

6 A Okay.

7 Q Ms. Allen, have you seen this document before?

8 A Yes, I have.

9 Q I note at the bottom on page 2 that it's signed
10 by the chief executive officer for the DeKalb Community
11 Service Board, correct?

12 A Yes, that is correct.

13 Q And did you review this document before it was
14 sent?

15 A Yes, I did.

16 Q Did you help to draft it?

17 A Yes, I did.

18 Q This letter of protest was sent to DBHDD,
19 correct?

20 A That is correct.

21 Q And what does the letter pertain to?

22 A It pertains to the denial of our application
23 for Apex 3.0.

24 Q Okay. The letter reflects that the nine
25 additional schools that DeKalb Community Service Board

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
96

1 proposed to serve through the Apex 3.0 grant have 11,000
2 students in total. Is that accurate, to the best of your
3 knowledge?

4 A Yes. To the best of my knowledge, yes.

5 Q Is it also accurate, as stated in this
6 letter -- excuse me -- that DeKalb Community Service
7 -- that DeKalb County School District is the third
8 largest in the state?

9 A Yes, that is correct.

10 Q I want to make sure I understand the total
11 service cost requests. There's a reference to \$323,790.
12 Is that amount -- is that the amount of grant funds that
13 DeKalb CSB was requesting through its Apex 3.0
14 application?

15 A Yes.

16 Q So that's the amount of money that would have
17 allowed DeKalb Community Service Board to expand the nine
18 schools that it served, in total 11,000 students?

19 A Yes.

20 Q In that same paragraph, this letter identifies
21 a population of 341 students the DeKalb Community Service
22 Board would propose to serve with Tier III services of
23 the 11,232 total students in the nine schools.

24 Do you see that text?

25 A Yes.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
97

1 Q And how did DeKalb Community Service Board
2 arrive at that figure of 341 students out of 11,232?

3 A Yes. There we follow the -- the Apex tier
4 model that's provided by DBHDD. And according to that
5 tier model, 3 to 5 percent of the school's population
6 should be served on Tier III. So we took the population
7 of each of the schools with that on the higher end being
8 that 5 percent, and then added that total number, and
9 that's how we came up with 341.

10 Q And did DeKalb Community Service Board, either
11 for the purposes of this letter or other purposes, also
12 estimate the number of students who would have received
13 Tier II services had its application for Apex 3.0
14 services been granted?

15 A Yes, we did.

16 Q And what is that number; do you recall?

17 A I do not recall.

18 Q Was it more than 341?

19 A It was, yes, because Tier II is a -- a greater
20 percentage than Tier III.

21 Q The letter ends with the request that DBHDD
22 reconsider the recent intent to award decisions of the
23 Apex 3.0 grant and allocate funding to the DeKalb
24 Community Service Board. Was that request for
25 reconsideration granted?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
98

1 A Yes, it was. We had a meeting to discuss our
2 appeal.

3 Q Okay. Thank you. And who participated in that
4 meeting for DBHDD?

5 A Danté McKay, Layla Fitzgerald, Danielle Jones,
6 and some individuals from their finance department, but I
7 cannot recall their names.

8 Q Who participated in that meeting on behalf of
9 DeKalb Community Service Board?

10 A Myself, Fabio van der Merwe, and my direct
11 supervisor Renee Dryfoos.

12 Q Were there representatives of the DeKalb County
13 Schools in that meeting?

14 A No, they were not present.

15 Q And what was the result of that meeting
16 regarding this request for reconsideration?

17 A We were not awarded the funding. It was
18 suggested to meet with DeKalb Schools. Basically, in
19 DeKalb Schools to meet to reiterate the importance of
20 them increasing referrals at the current schools that we
21 had.

22 Q To make sure I understand, was that
23 recommendation that DeKalb County Schools increase the
24 referrals identified as a problem with DeKalb Community
25 Service Board's application? Did that contribute to the

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
99

1 denial of funds in this instance?

2 A Yes. That was part of -- they -- part of it
3 they felt like our current line of funding wasn't being
4 maximized and that we could serve more students with our
5 current line of funding, and so they wanted to bring the
6 school district in to -- into the next meeting to help
7 them understand how their level of referral can affect
8 the funding.

9 Q Understood. And has there been a subsequent
10 meeting regarding increasing the number of referrals by
11 DeKalb County Schools since this request for
12 reconsideration meeting?

13 A No, there hasn't.

14 Q And to be clear, the suggestion that DeKalb
15 County Schools refer more individuals to Apex, that would
16 only apply to the schools that are currently enrolled in
17 Apex and not the nine additional schools that were
18 identified in this application?

19 A That is correct.

20 MR. HOLKINS: Can we go off the record briefly.
21 There seems to be a question about which exhibit we are
22 on right now. I want to resolve that before I move
23 forward.

24 THE VIDEOGRAPHER: Okay. Hearing no objection,
25 we are going off the record now at 11:41 a.m.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
100

1 (A short recess ensued.)

2 THE VIDEOGRAPHER: We are back on the record at
3 11:42 a.m.

4 Proceed.

5 Q BY MR. HOLKINS: Ms. Allen, give me one second,
6 and I'm going to pull back up the document that I was
7 just showing and then clear up a mistake that I made.

8 This is the November 20, 2020 letter from
9 DeKalb Community Service Board to DBHDD that we were just
10 discussing. Again, the Bates number is GA00130770, and
11 we are publishing this as Exhibit 803. I'm going to set
12 this aside.

13 Ms. Allen, I have a pair of documents I want to
14 show you. The first is an e-mail that you sent. The
15 second is an attachment to that e-mail. Give me one
16 second. This will be 804.

17 (Plaintiff's Exhibit 804 was marked for
18 identification.)

19 Q BY MR. HOLKINS: So I am introducing this as
20 Exhibit 804. The Bates number is GA00472463. Again,
21 this is a document produced by the State of Georgia to
22 the United States in this litigation, and it appears to
23 be an e-mail from you, Ms. Allen, to Danielle Jones dated
24 August 12, 2019. There are a number of attachments to
25 the e-mail, including the school-based mental health

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

101

1 referral form.

2 Do you see that, Ms. Allen?

3 A Yes. Yes.

4 Q It's the third -- the third attachment. Do you
5 see that?

6 A Yes.

7 Q So I now want to pull up the attachment, which
8 will be 805.

9 (Plaintiff's Exhibit 805 was marked for
10 identification.)

11 Q BY MR. HOLKINS: This is Exhibit 805. For the
12 record, it's GA00472506 produced by the State of Georgia
13 to the United States. This is the attachment to the
14 e-mail that we just looked at, Ms. Allen.

15 Have you seen this one before?

16 A Yes.

17 Q Is this the behavioral health referral form
18 that's currently in use for DB -- excuse me, DeKalb
19 Community Service Board's Apex Program?

20 A Yes. It's become a fillable PDF, but the
21 information is the same.

22 Q So the expectation is that the counselor, or
23 whoever is providing the referral to Apex, would complete
24 this form and submit it to the Apex therapist. Is that
25 accurate?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
102

1 A That is correct.

2 Q And is there any additional information that's
3 collected at the point of referral beyond what's called
4 for on this form?

5 A No, there is not.

6 Q Ms. Allen, are you familiar with a recurring
7 meeting or call titled "Apex therapist network call"?

8 A Yes, I am.

9 Q Okay. What is the Apex therapist network call?

10 A It's a meeting that provides the therapist with
11 information, different topics. I send a link out when I
12 give them to my therapists to attend, if they can, if
13 it's in their schedule to attend.

14 Q Have you attended those meetings before?

15 A I have attended one meeting in the past just to
16 get a sense of what it was like, but I have not since.

17 Q Who organizes that Apex therapists network
18 call?

19 A I am not sure.

20 Q Are there -- is there a participation from
21 DBHDD on that meeting?

22 A I believe there may have been in the past. I'm
23 not sure if they attend every meeting. I have -- I have
24 not attended in a few years.

25 Q Well, let's just pull up a document that I

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
103

1 think will clear up a little bit of this. This will be
2 806.

3 (Plaintiff's Exhibit 806 was marked for
4 identification.)

5 Q BY MR. HOLKINS: I have just published Exhibit
6 806, which is GA04588105. It's an e-mail dated
7 September 27, 2021 from a -- an e-mail address assigned
8 to Apex Technical Assistance Response. There are many,
9 many recipients on the e-mail. I believe that you are
10 one of them, Ms. Allen, and I believe it's October Apex
11 therapists network call.

12 Is it fair to conclude from this e-mail that
13 the Apex therapists network calls are -- are organized by
14 the Georgia State University Center of Excellence?

15 A Yes, it is.

16 Q And is the purpose of this meeting to provide
17 technical assistance to Apex therapists?

18 A Yes, it is.

19 Q And what specific guidance or assistance is
20 provided by the Georgia State University Center of
21 Excellence to Apex therapists during these Apex
22 therapists network calls?

23 A It varies. The topics are different every
24 time. It changes every month. For example, I'm looking
25 at this one. This was about suicide prevention. So

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
104

1 usually it's topics related -- relevant to providing
2 school-based services for therapists.

3 Q To your knowledge, has there ever been an Apex
4 therapists network call on the topic of serving youth who
5 are enrolled in GNETS programs?

6 A Not that I am aware of. I -- I can't recall.

7 Q And I think you said that participation in
8 these meetings is optional for your Apex staff. Is that
9 accurate?

10 A Yes, if it's -- if they are able to accommodate
11 it in their schedule, but they, you know, of course,
12 prioritize seeing the children.

13 Q Beyond this Apex therapists network call, are
14 there other opportunities for direct care staff in your
15 Apex Program to receive technical assistance from the
16 Georgia State University Center of Excellence?

17 A No, not that I've ever been made aware of.

18 Q I'm going to run through just a couple more
19 documents quickly before we break for -- for lunch.

20 (Plaintiff's Exhibit 807 was marked for
21 identification.)

22 Q BY MR. HOLKINS: Ms. Allen, I've just published
23 Exhibit 807. This is GA03256694. It's an al- -- it's an
24 e-mail from you dated March -- excuse me -- April 13,
25 2021 to Layla Fitzgerald with the subject, "Budget

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
105

1 Question."

2 I want to direct you to an earlier e-mail in
3 this thread where you asked Ms. Fitzgerald whether it's
4 possible to fund a monitoring tool built in for
5 evaluation of progress for Apex clients.

6 Do you see that text?

7 A Yes.

8 Q And what were you proposing to do here?

9 A Yes. I was proposing to have our data
10 engineering department essentially come up or build a
11 monitoring -- moni -- monitoring school -- excuse me --
12 for Apex clients, just to have our own internal
13 additional data to -- and actually get away from using
14 those spreadsheets and have it more formalized and
15 easy -- more easily accessible to other individuals, not
16 just me, in the agency.

17 Q Would this be kind of like a data board?

18 A I'm sorry, say that again.

19 Q So are you familiar with the term "data
20 dashboard"?

21 A Yes. Yes.

22 Q Is that what you were hoping to build here?

23 A Yes.

24 Q And this would -- would this dashboard be
25 showing or reflecting data beyond what DeKalb Community

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
106

1 Service Board is already collecting -- or was already
2 collecting at the time of this e-mail?

3 A Yes, potentially. I was exploring other data
4 points that we would want to internally collect.

5 Q What specific data points were you exploring
6 collecting beyond the ones that were already being
7 collected?

8 A How many family sessions were done each month.
9 Just a point of reference, one -- one place for all of
10 the data for Apex to be, so anyone beyond me can have
11 access to it, essentially.

12 And there were some other -- other data points
13 that I still was considering that I hadn't finalized yet,
14 that I am still considering currently.

15 Q And what was the result of this request?

16 A I believe she told me that other providers have
17 done that and that is something that I could include in
18 the budget.

19 Q And so was this for the FY 2022 application
20 that you were considering this?

21 A Yes. This would have been for our FY '22
22 budget.

23 Q For the budget for that year, okay.

24 A Yes.

25 Q And did you, in fact, include a line item for a

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
107

1 monitoring tool in the FY 2022 proposed budget?

2 A Yes.

3 Q And was that budget approved?

4 A Yes, it was.

5 Q And so at present, does DeKalb Community
6 Service Board have a monitoring tool as you can see
7 embedded in this e-mail?

8 A Yes. We -- yes, we do, and it's still
9 improvements being made. But yes, we did develop one.

10 Q And so that tool, once it's finalized, it will
11 allow any Apex Program staff to access complete data on
12 this student from a physical source. Is that accurate?

13 A It won't be per student; it will be per school.

14 Q Okay. So it would not be student-level data;
15 it would only be school-level data?

16 A That's correct. So all the -- all of the
17 students at that particular school, all of their data
18 would be together.

19 Q Is there any discussion about meeting in
20 student-level data reporting for this monitoring tool?

21 A Not at this -- not at this time.

22 Q Give me a second. I want to pull back up a
23 document that we discussed earlier. I believe this was
24 798, Exhibit 798, and you will recall this was the
25 monthly progress report that you submitted for E.L.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
108

1 Miller Elementary from March of 2022.

2 Do you recall this document?

3 A Yes.

4 Q I want to scroll back to the list of Tier III
5 services that we were discussing. So in this reporting,
6 there is an indication that two children received
7 behavioral health assessments during the reporting
8 period, correct?

9 A Yes.

10 Q Does this reporting indicate how many units of
11 that service were provided for the students who received
12 it during the reporting period?

13 A Can you clarify "units"?

14 Q So is it your understanding that the DBHDD
15 program manual for behavioral health services describes
16 service unit values for each of the relevant services
17 identified on this Tier III list?

18 A Yes, I'm aware.

19 Q Okay. And so that's -- that's the
20 understanding I'm approaching this question with. And so
21 my question to you is whether this reporting, the monthly
22 progress reporting that you provide to the Center of
23 Excellence and DBHDD, includes any indication of the
24 units of service provided for the students receiving, for
25 example, behavioral health assessment during this

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
109

1 reporting period?

2 A No, it does not.

3 Q And this reporting, your monthly progress
4 reporting to the Center of Excellence and DBHDD,
5 likewise, does not indicate the length of service for
6 children receiving, for example, behavioral health
7 assessment?

8 A No, it does not.

9 Q And the monitoring tool that we just discussed
10 that DeKalb Community Service Board is implementing
11 currently, that also wouldn't reflect data on service
12 units for Apex services provided by DeKalb Community
13 Service Board?

14 A The -- just to clarify, are you referring to
15 the -- the one that was created?

16 Q Yeah, to -- you talked about a monitoring tool
17 specific to the Apex Program the DeKalb Community Service
18 Board is implementing currently, and my question is
19 whether that tool would be used to track units of service
20 at the student level?

21 A Not at the student level. At the program
22 level, it does have that information.

23 Q So it would show for -- by school what the
24 average number of service units was per -- per student?

25 A No. It's actually for the entire Apex Program,

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
110

1 so all of the schools together on a monthly basis has the
2 amount of units billed for the entire program.

3 Q Okay. It wouldn't be specific to, for
4 instance, behavioral health assessment?

5 A No, it would not.

6 MR. HOLKINS: Okay. I think this is a good
7 time for us to take a break. I would suggest -- first
8 off, we can go off the record.

9 THE VIDEOGRAPHER: Okay. Hearing no objection,
10 we will go off the record now at 12:01 p.m.

11 (The deposition was at recess from 12:01 p.m.
12 to 12:49 p.m.)

13 THE VIDEOGRAPHER: We are back on the record at
14 12:49 p.m.

15 Please proceed.

16 Q BY MR. HOLKINS: Welcome back, Ms. Allen. I
17 just wanted to ask you a couple of follow-up questions on
18 things we talked about in the morning before we move to
19 some new topics.

20 The first concerns the denial of DeKalb
21 Community Service Board's application for Apex 3.0 funds,
22 and one of the reasons I believe you stated was offered
23 for that denial is that there were insufficient referrals
24 being made by schools currently being served relative to
25 the Apex Program. Is that accurate?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
111

1 A Specifically they stated that we had to
2 maximize our current funding.

3 Q Understood. And the way to do that is by
4 increasing referrals from those schools to the Apex
5 Program and providing more services to those students
6 once enrolled. Is that accurate?

7 A Yes, that's correct.

8 Q Okay. What -- have you sought to identify any
9 obstacles? Or let me put this differently. How -- how
10 would you explain what appears to be DBHDD's assessment
11 that there were not enough students being referred to
12 Apex by the schools currently participating for DeKalb
13 Community Service Board?

14 A I'm sorry, can you repeat that question again,
15 just to make sure I understand?

16 Q No, not a problem. Let me try again.

17 Let me just first ask you, do you think that
18 there are -- that schools are not referring enough
19 students who need Apex services to Apex through DeKalb
20 Community Service Board's existing Apex Program?

21 A Well, specifically at that time, that was
22 during COVID, and the schools were not open at the time,
23 and so that was a major contributing factor to low
24 referrals at that particular point in time.

25 They have since significantly increased their

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
112

1 referrals. We have some schools that still have -- seem
2 to have some challenges, but overall there has been
3 significant improvement. Always room for improvement,
4 but, I mean, they have improved tremendously since then.

5 Q Thank you.

6 And for the schools that are still experiencing
7 some challenges, what are those challenges?

8 A For some reason they just have a -- I guess
9 some difficulty identifying kids that are in need of
10 services, and I think that's more of an internal issue at
11 those particular schools. It's something that we are
12 still continuing to monitor, and also the district has
13 intervened and provided some assistance in how to
14 identify or potentially identify some additional
15 students.

16 Q Does DeKalb Community Service Board take any
17 kind of steps to help schools with identifying students
18 who may need Apex services?

19 A Yes. So some things that the therapists can do
20 are trying to attend like events that they know their
21 parents will be at, just so the parent community knows
22 that the services are available in the school. We have
23 asked the school to send our program fliers out through
24 the -- you know, the parent e-mail blast. And then also
25 connecting with specific like parent liaisons that have

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
113

1 more like informal contact with the parents as well.

2 Q Do you know whether for the schools that are
3 participating in Apex through the DeKalb Community
4 Service Board, the school staff as a matter of course
5 will identify to DeKalb Community Service Board as a --
6 as really a referral for Apex students who are being
7 considered for GNETS placement through an IEP process?

8 A Okay. So just to clarify, you're asking if
9 there's an identification process for kids who are being
10 referred to GNETS?

11 Q Right. What I'm asking about is, as a matter
12 of course, students that are being considered for GNETS
13 placement through the IEP process are referred to Apex to
14 see whether those services would be sufficient to meet
15 their needs.

16 A Okay. Are you asking if that has happened?

17 Q I'm asking whether that happens currently as a
18 matter of course?

19 A Not to my knowledge, and that hasn't happened
20 in the past. We haven't had any students on that
21 trajectory.

22 Q Right. To be clear, I'm not just talking about
23 students who are currently enrolled in Apex but any
24 students enrolled in school that participates in Apex who
25 may be -- who is being considered for placement in GNETS

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
114

1 and whether the schools ever identified those students to
2 the Apex Program.

3 A To my knowledge, none of my staff have reported
4 any students at the school that they have been referred
5 to that were being -- that they were referred to that
6 were being referred to GNETS.

7 Q Okay. Thank you.

8 You described a monitoring tool that DeKalb
9 Community Service Board is in the process of
10 implementing, and as I understand it, this data dashboard
11 of sorts would allow the community service board to
12 collect and show some new data points in addition to data
13 that the community service board has long been
14 collecting. And I think you identified one of those data
15 points as family services. Is that correct?

16 A Yes, so how many family therapy services have
17 been provided in the month -- or a particular data point,
18 rather.

19 Q Okay. Are there other new data points that the
20 community service board is seeking to collect and track
21 through this monitoring tool?

22 A I would -- one thing I wanted to add was
23 data -- the number of data collection for the strength
24 and difficulty questionnaire, which currently is just
25 information in their individual charts but not

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
115

1 information currently that we could pull as far as
2 numbers. So I would like to aggregate that data into
3 that dashboard.

4 Q Anything else that you would like to include
5 through this monitoring tool?

6 A The data that's already being reported
7 currently.

8 Q Okay. So I want to now show you a document.
9 Give me a second and I will pull it up.

10 Actually, hold on. Before we jump into the
11 document, Ms. Allen, do your Apex's therapists receive
12 any training currently on PBIS?

13 A Well, we've had an in service on PBIS from
14 DeKalb County School District.

15 Q What does "in service" mean?

16 A They're the districts that PBIS staff attended
17 our staff meeting and presented on what PBIS services
18 were and how Apex could be incorporated into the PBIS
19 model.

20 Q What does "PBIS" stand for?

21 A Positive behavior intervention supports.

22 Q When was this in-service training provided to
23 your Apex staff?

24 A I cannot recall the -- the date, but it was in
25 2021.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
116

1 Q And was there another similar training in 2022?

2 A No, there has not been. I'm sorry, no, it was
3 in 2022. I'm sorry.

4 Q No worries.

5 A I forgot we were in 2023 now. It was in 2022,
6 not 2021.

7 Q I understand.

8 So was that the first PBIS training offered to
9 your Apex staff that you can recall?

10 A Yes, it was.

11 Q And to be clear, your Apex team has not
12 received any training on PBIS from DBHDD or the Georgia
13 State Center of Excellence. Is that accurate?

14 A No specific training, just an overview of -- of
15 the models.

16 Q You have received an overview of the PBIS model
17 from Center of Excellence or from DBHDD?

18 A It was in a meeting moderated by the Center of
19 Excellence, but DBHDD was on that call.

20 Q Okay. When was that?

21 A I -- I do not remember.

22 Q Was it in 2022 as well?

23 A I believe it was, yes.

24 Q How would you describe the model of PBIS? What
25 does it seek to achieve?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
117

1 A Essentially to reinforce positive behaviors
2 within the student population. So each school has
3 different acronyms that they use that the students and --
4 and also the teachers. It's not just for the students.
5 PBIS is also for the teachers as well. And it's just to
6 encourage, essentially, positive behavior, so it looks --
7 it's different things.

8 So every school has -- like one school has an
9 acronym of SOAR, because I believe their mascot is the
10 eagle. And I don't know what the acronym means, but all
11 of the students and the staff know exactly what it means.
12 So they strive to carry out the acronyms of their
13 particular PBIS model.

14 Q Okay. What is the role of your Apex staff in
15 implementing PBIS in their schools?

16 A So it's going to vary. You know, they -- they
17 have a lot of creativity in how they can implement it.
18 It could be different things. You know, if positive
19 behavior is in force in a session, they can advocate for
20 that student to get points towards, you know, their PBIS
21 rewards. It could be different activities, so the
22 therapist could come up with different activities with
23 them as a reward for the students. And this is just not
24 for the students we serve in the Apex Program; this would
25 be, you know, for students at the particular school.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
118

1 Q Uh-huh. Does DeKalb Community Service Board
2 collect or analyze any data with respect to
3 implementation of PBIS in the schools where it's
4 implementing Apex?

5 A No. We don't collect any data specifically to
6 PBIS.

7 Q And does DeKalb Community Service Board have
8 access to data the school is maybe collecting with
9 respect to implementation of PBIS?

10 A If we request it, it's a possibility, but I
11 cannot say for sure.

12 Q Has DeKalb Community Service Board, since
13 you've been director of child and adolescent services,
14 ever requested PBIS data from a school?

15 A No, we have not.

16 Q Have you been instructed or advised to collect
17 that data by DBHDD or the Center of Excellence?

18 A No, we have not.

19 Q Give me one second. I just published what I
20 would like to mark as Exhibit 808. This is a document
21 produced by DeKalb Community Service Board in response to
22 the United States' subpoena for documents. It's roughly
23 43 pages. It starts with some aggregate data, and then
24 there are some forms.

25 (Plaintiff's Exhibit 808 was marked for

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
119

1 identification.)

2 Q BY MR. HOLKINS: And I'm going to give you a
3 second or, you know, a minute or two, Ms. Allen, to take
4 a quick look at this document. Let me first ask you
5 whether you had any role in assembling this document for
6 the community service board's response?

7 A Yes. Some of the documents in this, yes.

8 Q You have control. If you want to scroll
9 through, there is no need to read this line by line, but
10 if you want to familiarize yourself with this document,
11 please scroll through.

12 A Just this document or all 43 pages?

13 Q So I'm gonna be -- I'm not going to ask you
14 about every single document. I do want to give you an
15 opportunity to see what's in the package.

16 A Okay.

17 Q If you want to scroll through the full package,
18 please go for it.

19 A Okay. Okay.

20 Q All right. So I'm going to take control back.
21 Let's scroll to the top.

22 As I understand it, and correct me if I am
23 misstating anything, this is aggregate data showing the
24 number of each assessment -- how many of each of the
25 assessments identified were provided to children and

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

120

1 adolescents for fiscal years 2020, 2021 and 2022. Is
2 that right?

3 A Yes.

4 Q And is this an accurate list of all the
5 assessments -- accurate and complete list of the
6 assessments currently in use at DeKalb Community Service
7 Board for children and adolescents?

8 A Yes, it is.

9 Q Did you help with assembling this data for the
10 community service board's response to the United States'
11 subpoena?

12 A Not this specific document, no.

13 Q Okay.

14 A This particular aggregate data, no.

15 Q "SDQ" here stands for Strength and Difficulties
16 Questionnaire, correct?

17 A Yes.

18 Q And could you describe the distinction between
19 the initial and follow-up SDQ?

20 A Yes. So for the SDQ youth, which is a
21 self-report from the client, and they have to be at least
22 11 years old to self-report, the initial is done at
23 intake, during the intake assessment, which is the
24 baseline, and the follow-up is the one that's done every
25 six months after.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
121

1 Q Is SDQ, The Strength and Difficulties
2 Questionnaire, is that based on an evidence-based
3 intervention?

4 A It's not based on an evidence-based
5 intervention. It's an evidence-based outcome measure for
6 children and adolescents.

7 Q Okay. And I think if we scroll down to the
8 bottom here, you will see examples of the SDQ
9 questionnaires. This appears to be a follow-up Strengths
10 and Difficulties Questionnaire. Is that accurate?

11 A Yes, that's correct.

12 Q Is this for the parent or for the child?

13 A That one is for the parent.

14 Q For the parent.

15 And so there are SDQs which are directed both
16 to the child and to the parent, and there are both
17 initial and follow-up SDQs for each. Is that right?

18 A Yes, but they're only for the child if they are
19 at least 11 years old.

20 Q 11 or older?

21 A Uh-huh.

22 Q Understood.

23 How does DeKalb Community Service Board use the
24 data that it collects from the Strengths and Difficulties
25 Questionnaire?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
122

1 A So right now individually at the -- when it's
2 entered into our medical records system, it has a score.
3 And so what we do is, at the follow-up, we compare the
4 scores, or just from even the last SDQ that was done, and
5 we like to see the scores go down, which indicates a
6 decrease in difficulties in certain areas.

7 So when it's scored, it breaks it down into
8 different emotional sub scales like hyperactivity,
9 conduct issues, emotional challenges, prosocial behavior,
10 and so on.

11 Q Thank you.

12 Is this a questionnaire that you would expect
13 to be completing for all students enrolled in Apex?

14 A Yes, it is.

15 Q If they are 11 and older?

16 A For the youth one version, yes.

17 Q Right. And so for youth under 11, it would
18 just be the parents that would submit the questionnaire?

19 A That is correct.

20 Q So there are other assessments that are
21 identified -- I should say template forms that are
22 provided in this package that appear to be specific to
23 Apex.

24 This is one here, Violence Risk Assessment, the
25 client's name, "Test Apex." Is this an Apex specific

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
123

1 assessment or it's something that DeKalb Community
2 Service Board uses across its child and adolescent
3 service programs?

4 A That's actually not just for children and
5 adolescents. That's also for adults. It's used
6 agency-wide for all clients.

7 Q Okay. I'm going to just scroll through some of
8 the other ones and make sure it's -- is your answer the
9 same for the substance abuse assessment on page 37?

10 A That is correct.

11 Q Okay. And this risk assessment?

12 A The same, yes, for adults as well.

13 Q Okay. I now want to direct you to the
14 assessment form that begins on page 5 of the document.
15 This looks like the CANS-Trauma Comprehensive Assessment;
16 is that right?

17 A That is correct.

18 Q How does DeKalb Community Service Board use
19 this assessment for children who are enrolled in this
20 Apex Program?

21 A I'm sorry, can you repeat that? You said how?

22 Q Let me just first ask, does the DeKalb
23 Community Service Board use this assessment for children
24 enrolled in the Apex Program?

25 A Yes.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
124

1 Q For what purpose?

2 A Well, it -- it tracks or it gives you a sense
3 of what traumatic experiences they've had and their
4 reaction to specific trauma over time, and then also it
5 asks about their family members' mental health, history
6 with substance use, anything that -- that affects their
7 quality of life. So it just had different domains and
8 areas that we look at that essentially can affect the
9 child's development and progress.

10 Q How often does DeKalb Community Service Board
11 complete this assessment for children enrolled in Apex?

12 A Every three months.

13 Q So it would start upon entry in Apex, and then
14 every three months after that point there would be a
15 reassessment. Is that accurate?

16 A That is correct.

17 Q Does the assessment generate an overall score?

18 A It does not. Each -- you look at each
19 category.

20 Q For each category, okay.

21 A Uh-huh.

22 Q So in other words, there would be a score
23 generated by child risk behaviors. Is that right?

24 A No. So what I mean by that -- I'm sorry --
25 each item you would see the scores, for example, going

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
125

1 from three to two to one at each specimen. That's how
2 you would know that their CAN scores are changing, or
3 improving, rather.

4 Q And that's reported for each one of these, it
5 looks like there is 110 items, correct?

6 A Yes, that's correct.

7 Q So you are going to be looking at trends in
8 these scores every three months for 110 items?

9 A Yes.

10 Q Are there particular items or categories that
11 DeKalb Community Service Board is focused on in assessing
12 progress for children enrolled in Apex?

13 A Not -- not specifically, because any -- any
14 change in scores indicates progress. And some of
15 these -- I'm sorry, can you go -- scroll down?

16 Q Uh-huh. Some of them are age specific?

17 A Yes, some of them are age specific, and I
18 thought I saw one for labor and delivery, and I was
19 trying to point out that one, but I don't know where it
20 went.

21 Q Delivery?

22 A Oh, okay. Yeah, there. Some of these items we
23 don't have on there, so it's not 100 and -- all 100 and
24 however many there are. Some of these are not included
25 on our CANS assessment.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
126

1 Q Okay. So when you are trying to get an overall
2 snapshot of the child's progress, is there a measure that
3 you are using across these, you know, 110 metrics to
4 track overall progress?

5 A So we're looking, especially as it relates to
6 trauma, we're just -- we're looking at their response to
7 trauma, traumatic stress. So we're looking for some of
8 those symptoms to decrease over -- over time. So they're
9 essentially some of the responses, like hypervigilance,
10 numbing, avoidance, we are looking at some of those. And
11 then, of course, if they have a history of self-harming
12 behaviors or suicidal ideation, we are looking for that
13 risk level to decrease in those areas, too.

14 Q So on some level, and correct me if I'm
15 mistaken, the priorities are going to be child specific;
16 if there is a clear indication that a child is struggling
17 with, you know, certain metrics, then the focus will be
18 on improving performance in those specific metrics. Is
19 that right?

20 A That is correct. And there's also a measure
21 that -- that rates the caregiver as well. So we look at
22 that as a focus, to see if there is things going on with
23 the caregiver's needs that may be affecting the child's
24 progress as well.

25 Q Does DeKalb Community Service Board report

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
127

1 student-level CANS data to the Center of Excellence or
2 DBHDD?

3 A Yeah, that's part of the monthly progress
4 report. It's not student specific or school specific.
5 We report on how many baseline CANS we've done, how many
6 students were eligible for reassessment, how many
7 reassessments were done, and how many had improved
8 scores.

9 Q Okay. Improved scores overall?

10 A Yes.

11 Q Okay. But there is no student-level
12 reporting -- to make sure I understand, there is no
13 student-level reporting to the Center of Excellence or
14 DBHDD for the CANS measures?

15 A No.

16 Q Do you know whether this CANS assessment tool
17 is used to assess progress for students who are enrolled
18 in GNETS facilities?

19 A I do not.

20 Q Do you know whether the Strengths and
21 Difficulties Questionnaire that we looked at previously
22 is used to assess progress for students enrolled in GNETS
23 programs?

24 A I do not.

25 Q Okay. Let's set this aside.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
128

1 I want to pull up another document, 809.

2 (Plaintiff's Exhibit 809 was marked for
3 identification.)

4 Q BY MR. HOLKINS: Ms. Allen, I just published
5 what we are marking as Exhibit 809. This is another
6 document produced by DeKalb Community Service Board to
7 the United States in response to our documents subpoena.
8 The beginning Bates stamp is DEKALB006115.

9 The first document is -- it appears to be a
10 overview of DeKalb CSB's Apex Program. I will give you a
11 moment to review this specific document. And to be
12 clear, I'm only asking you to take a look at pages 1
13 through 5 at this time.

14 I will give you control. I am going to take
15 control of the document back. Give me one second. I
16 will scroll to the top. Back on page 1.

17 Ms. Allen, have you seen this document before?

18 A Yes.

19 Q Did you have any hand in drafting it?

20 A There was one already in place. I just made a
21 few adjustments, but it was pretty much already in place
22 when I became the director.

23 Q So I note that this was revised as of
24 August 2019. Is it current as of this date?

25 A Yes, it is.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

129

1 Q Is this something that DeKalb Community Service
2 Board, this document, is this provided to parents,
3 schools? How do you use this document?

4 A It is provided to the parents at the intake.

5 Q At intake?

6 A Yes.

7 Q So I want to talk a bit about community support
8 as it's described here, and I know we previously
9 discussed community support in the context of the monthly
10 progress report. There was a reference on this page,
11 page 2 of Exhibit 809, to linkage to resources in the
12 community. What does that mean?

13 A Yeah, so just, for example, a family needed a
14 resource for food pantry or clothing or after-school
15 programming; any resource that the child or the family
16 may need, that's what -- that's what "linkage to
17 resources" refers to.

18 Q And is it the responsibility of Apex therapists
19 to offer this community support?

20 A No. So if they see that a family has needs
21 that are outside of the school building, they will refer
22 to our community support program specifically.

23 Q Understood. So it would be the case managers
24 in the community support program that would principally
25 be responsible for providing services outside of the

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

130

1 school setting?

2 A That is correct.

3 Q Do you track data -- does DeKalb Community
4 Service Board track data on the number of Apex
5 participating students that are referred for community
6 support?

7 A We currently do not.

8 Q Is that something that DBHDD or the Center of
9 Excellence has ever required DeKalb Community Service
10 Board to collect or report data on?

11 A We do report in on the monthly report how
12 many -- how many services or community support were
13 provided in that month, yes.

14 Q And so that would be capturing service
15 provision by case managers, not Apex therapists, outside
16 of the school setting?

17 A It would be both.

18 Q Both?

19 A Yes.

20 Q Just to make sure I understand, Apex therapists
21 can also provide community support; it would just be
22 within the school setting?

23 A Yes, and more so focused on the skill-building
24 side of community support, not necessarily the linkage,
25 the linkage part.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
131

1 Q Okay. And so if there is a need for linkage to
2 community resources outside the school setting, that
3 would typically trigger a referral to the community
4 support team?

5 A Yes.

6 Q And it's just the referrals that the community
7 service board is not tracking data on currently?

8 A No.

9 Q Right?

10 A No, it's not broken down by specifically to
11 Apex, because that program serves both outpatient and
12 school-based.

13 Q So one service that you didn't talk about
14 earlier is peer support. If you can describe what peer
15 support is?

16 A Yes. So it's a program that is based on lived
17 experience, so a parent -- a certified parent -- peer --
18 certified peer specialist parent is a parent that has a
19 child with a mental health diagnosis, and they've gone
20 through training to help parents navigate kind of the
21 mental health system, connect them to natural supports,
22 link them to parenting resources specifically for parents
23 with children with emotional behavior disorders in the
24 community.

25 So it's -- it's not a -- you know, a therapist.

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
132

1 It's not a case manager. This is a peer. This is
2 someone who's essentially walked in their shoes.

3 Q And peer support services are offered both
4 directly to youth participating in Apex and to their
5 parents. Is that accurate?

6 A Yes. So there's a -- a youth version of the
7 parent, and it's a young person with live to experience
8 with a mental health diagnosis. So the youth specialist,
9 we currently don't have one on -- on staff right now, but
10 in the past, we started that service at age 12 just
11 because, you know, younger than that, that's not really a
12 peer.

13 So it's a young -- it's essentially a young
14 person, so I believe they have to be at least 18 to be
15 certified as a youth, up until age 30, is when they are
16 no longer a youth, a CPS-Y.

17 Q So I want to ask you the same question that I
18 posed regarding all the Tier III services we discussed
19 previously, except this is just about peer support. You
20 think that peer support services can help children with
21 behavioral health conditions cope with their behavioral
22 health needs and remain in their home schools and
23 communities?

24 A Yes.

25 Q So stepping away from this document -- I'm

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
133

1 going to keep it up for now -- but I want to go back to
2 something we were talking about a little bit earlier,
3 which was PBIS. And I believe you testified that there
4 was a role -- that your Apex therapists can play a role
5 in implementing PBIS within their schools, correct?

6 A Yes. With supporting the program, yes.

7 Q In supporting the program.

8 Is that something that DeKalb Community Service
9 Board can bill third-party payers for, or would that be
10 reimbursed through the DB -- the DBHDD grant?

11 A That would be through -- mostly through the
12 grant.

13 Q Okay. And are there any actual Medicaid or
14 other third-party billable services that the community
15 service board could -- could use to get reimbursement for
16 implementation of PBIS?

17 A Yes, it's -- it's possible. It's possible, but
18 mainly PBIS services are what we call universal supports,
19 which is actually Tier I, and those are generally
20 nonbillable supports.

21 Q And so what would be examples of billable
22 supports that would be in furtherance of the PBIS
23 implementation?

24 A Possibly maybe a group, but they all would have
25 to be clients to be able to do that. We ethically cannot

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
134

1 bill for some and not for others.

2 Q So I want to scroll down to the second piece of
3 this package, which is Exhibit 809. This is the
4 Behavioral Health Clinical Documentation Guide for DeKalb
5 Community Service Board. Have you seen this document or
6 some version of it, Ms. Allen?

7 A Yes.

8 Q So it's a fairly lengthy document, close to 80
9 pages. I'm not going to ask that you review it page by
10 page, but I do want to confirm that this is the current
11 version of the Behavioral Clinical Documentation Guide in
12 use at the DeKalb Community Service Board?

13 And I will give you control of the document if
14 you need a second to confirm.

15 A Yes, this is the current document.

16 Q Thank you. I am going to take control of the
17 document back.

18 On page 7 there's a part titled "Evidence-based
19 treatment." Do you see where I am?

20 A Yes.

21 Q And this appears to be a list of all the
22 evidence-based treatments that are available through
23 DeKalb Community Service Board; is that correct?

24 A That is correct.

25 Q That's -- this is inclusive of both adults and

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023

135

1 child and adolescents?

2 A That is correct.

3 Q Are there any evidence-based services or
4 practices specifically relating to children and
5 adolescents that DeKalb Community Service Board utilizes
6 that are not listed on this page?

7 A No.

8 Q Are you aware of any additional evidence-based
9 services or practices that the DeKalb Community Service
10 Board is hoping or looking to implement specific to
11 child -- to children and adolescents beyond the ones that
12 are on this list?

13 A None that are specific to children and
14 adolescents at this time, no.

15 Q Okay. If you had a child that was exhibiting
16 aggressive behavior in the classroom, which
17 evidence-based treatments available to DeKalb Community
18 Service Board would you seek to utilize to address that
19 behavior?

20 A Well, are you asking after an assessment is
21 done or just in general?

22 Q I'm thinking in general. Obviously, it's gonna
23 vary from child to child, but in general, what
24 evidence-based services or practices would you expect to
25 be helpful in addressing that kind of behavior?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
136

1 A So depending on the age of a child, if it was a
2 young child, several of these. You know, in --
3 generally, in practice, therapists have a toolbox, and we
4 use different interventions from different modalities,
5 because essentially sometimes you can't just use one
6 modality for a client and expect behavior change. You
7 have to implement different things.

8 And so for a younger child, family systems,
9 play therapy, trauma-focused CBT, would be the main ones
10 I would use for a younger child.

11 Q Can you describe what family systems therapy
12 is?

13 A So essentially we are looking at how the family
14 functions. So we are also looking at the -- the
15 emotional function of the parents, specifically when
16 they're experiencing some of these emotions or behaviors
17 for their -- from their child, how are they reacting. We
18 are looking at their overall emotional stability, how
19 that affects their parenting communication styles.

20 Just overall their relationship between the
21 parent and the child -- or the caregiver, rather, and the
22 child, and anyone else in the home that plays a part in
23 the child's emotional function -- functioning. So that
24 could include siblings in the home as well.

25 Q And could family systems, as a matter of

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
137

1 practice, is that a component of a service that the CSB
2 can receive reimbursement for Medicaid or other
3 third-party payers?

4 A Yes.

5 Q Which specific billable service would you use?

6 A Family therapy.

7 Q Could you briefly describe what play therapy
8 is?

9 A Yeah, so it's a -- also an evidence-based
10 modality where essentially the child plays or we observe
11 them playing, and it actually -- depending on the type of
12 play -- so there are different types of play. There is
13 directive play. There is mastery play. And so based on
14 how a child plays, it tells us what emotions they are
15 trying to process, and so the therapist is there just
16 kind of pointing out certain things.

17 So we don't direct a child or tell them how to
18 play; unless it has something to do with safety in the
19 particular environment, then we can kind of give them
20 directives. But other than that, we are just pointing
21 out, noticing how they are playing with certain items,
22 and we may sometimes ask -- ask them to describe what are
23 the dolls doing here and things like that.

24 Q Uh-huh. In play therapy, can the
25 evidence-based service you just described be provided

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
138

1 through a billable service like individual therapy?

2 A Yes.

3 Q And can that service be provided in school
4 settings?

5 A Yes.

6 Q Is that true also for family systems therapy,
7 or would that be in a home setting?

8 A That would be telehealth or in a school.

9 Q Telehealth or a school?

10 A Yes. Telehealth or school, yes.

11 Q Thank you.

12 Can you describe what trauma-focused CBT or
13 cognitive behavioral therapy is?

14 A Yeah. So CBT by itself is a modality that
15 focuses on thoughts or cognitions and how those play a
16 role into behavior. So, you know, identifying distorted
17 thinking that contributes to maladaptive behaviors. And
18 then trauma-focused is understanding how their adverse
19 childhood experiences play a role into their -- the
20 thoughts and cognitions which then leads to maladaptive
21 behavior. So you are not just only focused on changing
22 their thoughts, but then also helping process how their
23 trauma contributed to those distorted thoughts.

24 Q And can trauma-focused cognitive behavioral
25 therapy be incorporated as an element of the Medicaid

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
139

1 reimbursable service like individual therapy?

2 A Yes.

3 Q Is that a service that can be provided in
4 schools?

5 A Yes.

6 Q And for the services that we just discussed,
7 play therapy, family systems therapy, trauma focused CBT,
8 in your view, are these services effective in helping to
9 meet children's behavioral health needs and maintain them
10 in their home schools and communities?

11 A Yes, it is.

12 Q Ms. Allen, I'm going to ask you a few questions
13 now about your preparation for the deposition. I want to
14 be very clear that in asking these questions, I am not
15 asking you to disclose the substance of any
16 communications that you've had with your attorney in
17 preparing for today's deposition.

18 Do you understand?

19 A Yes.

20 Q So with that understanding, what did you do to
21 prepare for today's deposition?

22 A I met with my attorney.

23 Q And that's Mr. Andrew Kim; is that correct?

24 A Yes.

25 Q Did you meet with him once or more than once?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
140

1 A Once.

2 Q For about how long?

3 A I don't recall.

4 Q Did you review any documents in preparation for
5 this deposition?

6 A Yes.

7 Q Which documents did you review?

8 A The one that you just presented.

9 Q The clinical documentation guide?

10 A Yes.

11 Q Anything else?

12 A No.

13 Q Did you talk with any State agency officials in
14 preparation for this deposition?

15 A No, I did not.

16 Q Did you communicate with counsel for the State
17 of Georgia in preparing for today's deposition?

18 A No, I did not.

19 MR. HOLKINS: So I want to take just a quick
20 break. Can we go off the record.

21 THE VIDEOGRAPHER: Okay. Hearing no objection,
22 we are off the record at 1:41 p.m.

23 (The deposition was at recess from 1:41 p.m. to
24 1:48 p.m.)

25 THE VIDEOGRAPHER: We are back on the record at

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
141

1 1:48 p.m.

2 Please proceed.

3 Q BY MR. HOLKINS: Ms. Allen, I just have a few
4 more questions for you before we wrap up.

5 I want to pull back up Exhibit 809. Give me
6 one second.

7 So this was the list of evidence-based
8 treatments that DeKalb Community Service Board, that we
9 were discussing previously on page 7 of Exhibit 809. I
10 want to ask you, we discussed a couple of these DBTs in
11 particular, namely, play therapy, family systems therapy,
12 trauma-focused CBT, correct?

13 A (No oral response.)

14 Q So my question to you is whether -- I was
15 asking specifically about a child that's exhibiting
16 aggression in the classroom. And my question to you,
17 Ms. Allen, is whether in -- in your view, these kinds of
18 evidence-based treatments, including the ones you
19 identified specifically, are affecting -- effective in
20 helping children who exhibit those kinds of symptoms,
21 aggression in the classroom, to remain in their home
22 schools and communities?

23 A Yes, they do.

24 Q Let's set this one aside.

25 I now want to pull up another document that we

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
142

1 have already looked at. Give me one second.

2 Ms. Allen, this is Exhibit 808, which we
3 discussed previously, showing the aggregate data with
4 respect to assessments, and then templates for the
5 assessment forms that DeKalb Community Service Board
6 uses.

7 I want to ask you a -- a general question about
8 the assessment tools that are used here -- that are
9 listed in this document. Is it accurate that these
10 assessments are directed to parents and not teachers?

11 A Are you asking about this specific one that
12 we're looking at?

13 Q I am actually asking about all of the
14 assessments that are in this packet, and if you need --

15 A Okay.

16 Q -- to take control of the document, you are
17 most welcome to.

18 A Okay.

19 Q And the question I posed, for all of the
20 assessments in this packet, is whether any of them are
21 directed to teachers?

22 A No, they are not.

23 Q And this is the complete list of assessments
24 currently used by the DeKalb Community Service Board for
25 children and adolescents, correct?

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
143

1 A Yes.

2 MR. HOLKINS: Okay. With that, I think that
3 United States is done with its questioning.

4 Andrew, do you have any questions you would
5 like to ask?

6 MR. KIM: No.

7 MR. HOLKINS: We can go off the record.

8 Thank you very much for your time, Ms. Allen.

9 THE VIDEOGRAPHER: Okay. This will conclude
10 the deposition as of 1:51 p.m.

11 MS. JOHNSON: We only need the transcript. We
12 don't need a copy of the video.

13 (The deposition concluded at 1:51 p.m.)

14

15

16

17

18

19

20

21

22

23

24

25

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
144

1 CERTIFICATE OF REPORTER

2 STATE OF GEORGIA)
3 COUNTY OF DEKALB)

4

5 I, Marcella Daughtry, a Certified Reporter in
6 the State of Georgia and State of California, do hereby
7 certify that the foregoing deposition was taken before me
in the County of DeKalb, State of Georgia; that an oath
or affirmation was duly administered to the witness,
JANEL ALLEN; that the questions propounded to the witness
and the answers of the witness thereto were taken down by
me in shorthand and thereafter reduced to typewriting;
that the transcript is a full, true and accurate record
of the proceeding, all done to the best of my skill and
ability;

11 The witness herein, JANEL ALLEN, has requested
signature.

12 I FURTHER CERTIFY that I am in no way related
13 to any of the parties nor am I in any way interested in
the outcome hereof.

14

15 IN WITNESS WHEREOF, I have set my hand in my
16 office in the County of DeKalb, State of Georgia, this
20th day of January, 2023.

17

18 

20 Marcella Daughtry, RPR, RMR
GA License No. 6595-1471-3597-5424
21 California CSR No. 14315

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
145

1 United States of America v. State of Georgia

2 Our Assignment No. J9066992

3 DECLARATION UNDER PENALTY OF PERJURY

4

5 I declare under penalty of perjury that I
6 have read the entire transcript of my deposition taken in
7 the above-captioned matter or the same has been read to
8 me, and the same is true and accurate, save and except
9 for changes and/or corrections, if any, as indicated by
10 me on the DEPOSITION ERRATA SHEET hereof, with the
11 understanding that I offer these changes as if still
12 under oath.

13

14 Signed on the _____ day

15 of _____ 2023.

16

17

18

19 _____
20 JANEL ALLEN

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
146

1 DEPOSITION ERRATA SHEET

2 Page No. _____ Line No. _____ Change to: _____
3 _____

4 Reason for change: _____

5 Page No. _____ Line No. _____ Change to: _____
6 _____

7 Reason for change: _____

8 Page No. _____ Line No. _____ Change to: _____
9 _____

10 Reason for change: _____

11 Page No. _____ Line No. _____ Change to: _____
12 _____

13 Reason for change: _____

14 Page No. _____ Line No. _____ Change to: _____
15 _____

16 Reason for change: _____

17 Page No. _____ Line No. _____ Change to: _____
18 _____

19 Reason for change: _____

20 Page No. _____ Line No. _____ Change to: _____
21 _____

22 Reason for change: _____

24 SIGNATURE: _____ DATE: _____

25 JANEL ALLEN

JANEL ALLEN
UNITED STATES vs STATE OF GEORGIA

January 09, 2023
147

1 DEPOSITION ERRATA SHEET

2 Page No. _____ Line No. _____ Change to: _____
3 _____4 Reason for change: _____
5 _____6 Page No. _____ Line No. _____ Change to: _____
7 _____8 Reason for change: _____
9 _____10 Reason for change: _____
11 _____12 Reason for change: _____
13 _____14 Reason for change: _____
15 _____16 Reason for change: _____
17 _____18 Reason for change: _____
19 _____20 Reason for change: _____
21 _____22 Reason for change: _____
23 _____24 SIGNATURE: _____ DATE: _____
25 JANEL ALLEN